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Crl.O.P.No.27093 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03.10.2025**

CORAM:

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

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1. Aravindharajan
2. Santhi
3. Mahalingam
4. Karukkuvel

... Petitioners

Versus

The State, Rep. by,
State Inspector of Police,
W29, All Women Police station,
Avadi, Chennai.
(Crime No.37 of 2025)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023, to enlarge the petitioners on bail in the event of his arrest in Crime No.37 of 2025 pending on the file of the respondent police.

For Petitioners : Mr. Anand Kumar.

For Respondent : Mr. S. Santhosh,
Government Advocate (Criminal Side)



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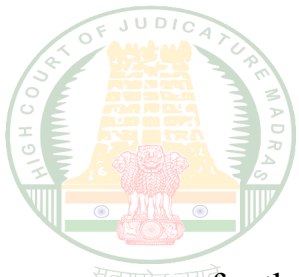
ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 85 of Bharatiya Nyaya Sanhita (BNS) 2023 in connection with the case in Crime No.37 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the defacto complainant was solemnized on 09.06.2024. It is alleged that the accused demanded dowry of 36 sovereigns of gold and household articles which were given at the time of marriage. After the marriage, the petitioners in addition demanded a sum of Rs.21 Lakhs as dowry. Hence, this case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have no connection with the offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate



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for the investigation, and sought for anticipatory bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the first petitioner is the husband of the defacto complainant while other petitioners are her in-laws. It is alleged that they demanded dowry at the time of marriage, and subsequently, demanded Rs.21 Lakhs. He further submitted that the petitioners have no previous cases and the investigation is still pending.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioners, submissions made by the learned counsels on either side, the fact that the petitioners have no previous cases pending against them and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate – I Court, Poonamallee, Thiruvallur**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- each (Rupees Ten Thousand only) with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the first, third and fourth petitioners shall report before the respondent Police daily at 10:30 A.M., until further orders; the second petitioner shall report before the respondent police as and when required for investigation, until further orders;

[c] the petitioners shall not tamper with evidence or witness either during the investigation or during the trial;

[d] the petitioners shall not abscond either during



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investigation or during the trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners was released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.10.2025

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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR**



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code.



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To

- 1.The Judicial Magistrate – I Court, Poonamallee, Thiruvallur.
- 2.State Inspector of Police,
W29, All Women Police station, Avadi, Chennai.
(Crime No.37 of 2025)
- 3.The Public Prosecutor, High Court of Madras, Chennai – 104.



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N.SENTHILKUMAR, J.

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