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Crl.O.P.No.30889



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30889 of 2025

1. Nithishkumar
2. Kannapiran
3. Sakthi

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
All Women Police Station, Thirukoilur,
Kllakurichi District.
(Crime No.106 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.106 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Sasikumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl. Side)



ORDER

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The petitioners, who apprehends arrest for the alleged offence punishable under Sections 85, 296(b) of BNS Act, in Crime No.106 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against this petitioners is that, the first petitioner is the husband and other petitioners are in-laws of the defacto complainant and earlier 1 and the defacto complainant were in relationship and after continuous compulsion A1 had come forward to marry the defacto complainant on 07.11.2024 and thereafter avoided the defacto complainant and has not come forward to take her to the petitioner's home. When she demanded to continue the matrimonial life the petitioners reported that she needs to pay 20 sovereigns of gold jewels and also Rs.5,00,000/- in cash. Hence she has filed this complaint.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution, he further submitted that due to matrimonial dispute false complaint has been lodged, and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the FIR was registered only recently, the investigation is pending. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, the marriage was taken place in the year 2024 and the nature of allegation levelled herein, and the investigate the case of this nature, the custodial interrogation is not necessary, hence this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Thirukoilur*, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty 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 and on further condition that:



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(a) 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 petitioners shall report before the respondent police daily at 10.30 a.m., for the period of three weeks and thereafter as and when requires for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or 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 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]*; and;



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(f) if the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

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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 the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate, Thirukoilur.
- 2.The Inspector of Police,
All Women Police Station, Thirukoilur,
Kllakurichi District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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