

CRL.OP(MD). No.2410 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.2410 of 2025
and CrI.M.P(MD).No.1982 of 2025

1.Saravanakumar
2.Madhathevar
3.Angammal

... Petitioners/ A1 to A3

Vs.

State of Tamil Nadu rep. ,by its ,
The Inspector of Police,
All Women Police Station,
Rajapalayam, Virudhunagar District.
Crime No.1 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioners/accused
Nos.1 to 3 on bail in the event of their arrest in Crime No.1 of 2025 on the file of the
respondent-police.

For Petitioners : Mr.C.Eswarapandian
For Respondent : Mr.S.S.Manoj
Government Advocate
(Criminal Side)
For intervenor : Mr.R.J.Karthik



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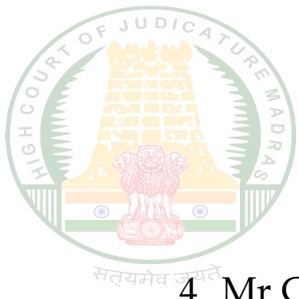
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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent- police for the offences punishable under Section 498-A, 294(b), 406 and 506(i) of IPC, in Crime No.1 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that marriage was solemnized between the first petitioner and the defacto complainant on 15.02.2021. The second and third petitioners are in-laws of the defacto complainant. At the time of marriage, the defacto complainant's parents gave 32 sovereigns of gold ornaments as dowry. Thereafter, the petitioners demanded more dowry from the defacto complainant. They abused her and drove out her from the matrimonial home. Hence, the complaint.



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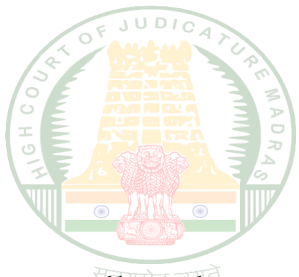
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4. Mr.C.Eswraapandian, learned counsel for the petitioners, submits that the petitioners are innocent persons, and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He further submits that the petitioner will redeem the jewels of 25 sovereigns and return the same to the defacto complainant within one year. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police submits that the matter relates to matrimonial dispute. He further submits that the investigation is still pending and therefore, if pre-arrest bail is granted to the petitioners, they will cause threat to the defacto complainant. He therefore prays for dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioners have permanent residence. Hence, there is less possibility of absconding. In view of the facts and circumstances of the case, and the offences



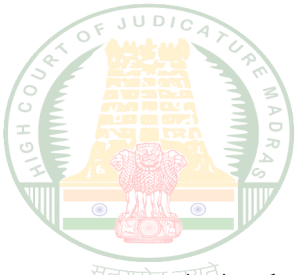
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alleged against the petitioner, this Court is of the opinion the custodial interrogation of the petitioners is not necessary. Considering the same, and also considering the fact that there was matrimonial dispute between the parties, and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Additional Mahila Judge, Srivilliputhur, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Additional Mahila Judge, Srivilliputhur.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Additional Mahila Judge shall obtain a copy of any one of identity proofs to ensure their identity.



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(iii) The petitioners shall appear and sign before the respondent police, weekly once i.e., on every Sunday at 10.00 am., until further orders.

(iv) The petitioners shall redeem the jewels and handed over 25 sovereigns of gold to the defacto complainant within one year.

(v) The petitioners make themselves available for interrogation by a police officer as and when required.

(vi) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

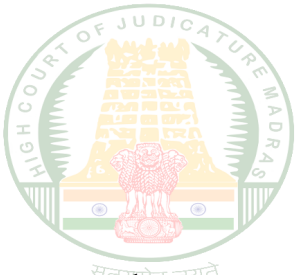
(vii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioners shall not leave India without the previous permission of the Court.

(ix) The petitioners shall furnish their residential address and mobile number to the learned Additional Mahila Judge.

(x) The petitioners shall not enter into the residence and workplace of the defacto complainant.

(xi) On breach of any of the aforementioned conditions, the learned Additional Mahila Judge or Trial Court, as the case may be, is entitled to pass appropriate



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orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*. Consequently, connected Miscellaneous Petition is closed.

sd/-
07/03/2025

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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Rmk

To

- 1.The Additional Mahila Judge, Srivilliputhur.
2. Do - Through the Chief Judicial Magistrate,
Virudhunagar District.
- 3.The Inspector of Police,
AWPS Police Station,
Rajapalayam, Virudhunagar District.

<https://www.karnajapalayam.com>



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.ESHWARA PANDIAN, Advocate (SR-2616[I] dated 11/03/2025)

Order made in
CRL.OP(MD). No.2410 of 2025
07.03.2025

VN (26/03/2025) 7P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.