



CRL OP(MD). No.5095 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5095 of 2025

Kaviraj,
S/o Kamaraj,
Nakkalapatti New Street,
Nakkalapatti,
Usilampatti Taluk,
Madurai District.

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
Crime No. 21/2024

... Respondent/Complainant

For Petitioner : Mr.Haroon Rasheed.D.S,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)



CRL OP(MD). No.5095 of 2025

WEB COPY

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2024 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 18.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 498(A), 294(b), 506(i) of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.21 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that due to a matrimonial dispute between the petitioner and the defacto complainant, the petitioner harassed the defacto complainant and attacked her after three days from the marriage. When the same was informed to the other accused persons, they demanded additional dowry and threatened her with dire consequences. Hence the case.

4. Mr.D.S.Haroon Rasheed, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and a false case



CRL OP(MD). No.5095 of 2025

has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the investigation. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal side) appearing for the respondent-Police, submits that the petitioner along with other accused persons demanded additional dowry from the defacto complainant, assaulted her, and caused mental agony to her. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility for absconding. Considering the same, and also considering the matrimonial dispute exists between the parties and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate I, Usilampatti, 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.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five



CRL OP(MD). No.5095 of 2025

Thousand only) to the satisfaction of the learned Judicial Magistrate I, Usilampatti;

WEB COPY

(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 Judicial Magistrate I, Usilampatti, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-police weekly twice (i.e., on Monday and Friday) at 10.00 a.m., until further orders;

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

(v) The petitioner 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;

(vi) The petitioner shall not leave India without the previous permission of the Court;

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

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate I, Usilampatti; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial



CRL OP(MD). No.5095 of 2025

Magistrate I, Usilampatti or Trial Court, as the case may be, is entitled to pass appropriate 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.

sd/-
20/03/2025

/ TRUE COPY /

/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE I
USILAMPATTI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.



CRL OP(MD). No.5095 of 2025

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.5095 of 2025

Date :20/03/2025

HPS/SAR / 04.04.2025/6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023.