



CRL.OP(MD). No.6795 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6795 of 2025

Suman

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Pattukkottai All Women Police Station,
Thanjavur District.
(Crime No.10 of 2022)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.10 of 2022 on the file of the respondent-police.

For Petitioner : Mr.B.Jameelarasu,
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 08.04.2025

<https://www.mhc.tn.gov.in/judis>



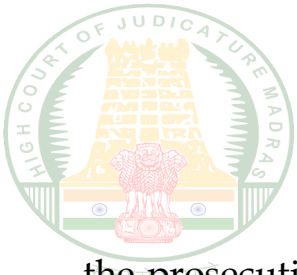
CRL.OP(MD). No.6795 of 2025

under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
WEB COPY
to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offence punishable under Sections 147, 495, 498(A), 406, 506(i) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.10 of 2022 on the file of the respondent-police.

3. The case of the prosecution is that the Petitioner/Accused married the daughter of the defacto complainant on 20.08.2021. At the time of marriage, her parents provided 40 sovereigns of gold, a two-wheeler, and a sum of Rs.5,00,000/- as seethana articles. It is alleged that, thereafter, the Petitioner and others subjected her to harassment by demanding additional dowry. It is further alleged that the Petitioner had suppressed the fact of his previous marriage in the USA. Based on these allegations, a case was registered against the Petitioner and another for offences relating to cruelty and dowry demands.

4. Mr.B.Jameelarasu, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by



CRL.OP(MD). No.6795 of 2025

the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is a law abiding citizen and hails from a respectable family. He further submits that the case was originally registered by the Inspector of Police, Pattukottai All Women Police Station, Thanjavur District, and was subsequently transferred to the Inspector of Police, Orathanadu All Women Police Station, Thanjavur District. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner and others subjected the daughter of the defacto complainant to harassment by demanding additional dowry. Therefore, he contends that, if the petitioner is granted pre-arrest bail, he will cause threat to the defacto complainant and his family and therefore, the custodial interrogation of the petitioner is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

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



CRL.OP(MD). No.6795 of 2025

WEB COPY

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Considering the same and also considering the nature of the offence allegedly committed by the petitioner, 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 Court, Orathanadu, Thanjavur District, 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) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate Court, Orathanadu, Thanjavur District.

(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 shall obtain a copy of any one of



CRL.OP(MD). No.6795 of 2025

identity proofs to ensure their identity.

WEB COPY

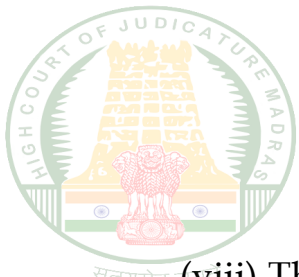
(iii) The petitioner shall appear and sign before the learned Judicial Magistrate, Orathanadu, Thanjavur District on all working days at 10.00 a.m. until further orders.

(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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper with the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.



CRL.OP(MD). No.6795 of 2025

WEB COPY

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate 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/-
15/04/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal

<https://www.mhc.tn.gov.in/judis>



CRL.OP(MD). No.6795 of 2025

To सत्यमेव जयते

WEB COPY

1.THE JUDICIAL MAGISTRATE COURT,
ORATHANADU,
THANJAVUR DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE,
ORATHANADU,
THANJAVUR DISTRICT @
KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
PATTUKKOTTAI ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-4256[I] dated 16/04/2025)

ORDER

IN

CRL OP(MD) No.6795 of 2025

Date :15/04/2025

VN/09.05 .2025 7P/6C

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