



CRL OP(MD). No.7551 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 24/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1. Murugan @ M.Murugesan

2. M.Pechi,

... Petitioners/ Accused Nos.3 & 4

Vs

The State of Tamilnadu,  
Rep By, its Sub Inspector of Police,  
A.Mukkulam Police Station,  
Virudhunagar District.  
Cr.No.22 of 2025..

... Respondent/Complainant

For Petitioner : Mr.Ganesh N.,  
Advocate.

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

For Intervener : Mr.S.Prabhu,  
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Cr.No.22 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 22.04.2025 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 alleged offences punishable under Section 194 of Bharatiya Nagarik Suraksha Sanhita, 2023, altered into Section 108 of Bharatiya Nyaya Sanhita (306 of Indian Penal Code, 1860) and 80(2) of BNS, 2023 (304-B of IPC), in Crime No.22 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.02.2025 the defacto complainant's daughter and one Muthupandi got married. The petitioners are maternal uncle and aunty of the said Muthupandi/A1. Since A1's father had died, there was no other elder in the house of A1. The petitioners helped their family to arrange the marriage.

At the time of betrothal, the petitioners, A1, A2 and A5 demanded dowry of 30



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sovereigns of gold. While so, at the time of marriage, the defacto complainant provided 11 sovereigns of gold and a two-wheeler as *seethana* . Thereafter, the Petitioners and others subjected the defacto complainant's daughter to harassment by demanding additional dowry. As a result of such harassment, on 02.03.2025, she allegedly committed suicide by consuming poisonous substance. Hence, the case.

4. Mr.S.Sankar, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners are law abiding citizens and hail from a respectable family. He however submits that the petitioners are ready to abide any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioners and others subjected the daughter of the defacto complainant to harassment by demanding additional dowry. Therefore, he contends that, if the petitioners are granted pre-arrest bail, they will cause threat to the defacto complainant and his family. He



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further submits that with regard to the suspicious death, the Revenue Divisional Officer and Deputy Superintendent of Police have conducted enquiry and filed two different reports. In the Revenue Divisional Officer's report, there was no dowry demand. In the Deputy Superintendent of Police's report, there was dowry demand. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Mr.S.Prabhu, learned counsel appearing for the intervener argues along the lines of the learned Government Advocate (Criminal Side).

7. Heard on both sides. This Court has perused the records and has also perused the report of the Revenue Divisional Officer as well as that of the Deputy Superintendent of Police. In the Revenue Divisional Officer's report, it is categorically stated that there was no dowry demand. However, in the Deputy Superintendent of Police's report, he / she came to conclusion that there was dowry demand.

8. The petitioners have permanent residence and deep roots in the society and therefore, there is less possibility for absconding. In view of the offence alleged against the petitioners, this Court is of the view that custodial interrogation of the petitioners is not necessary in this case. Considering the same and also considering the nature of the offence allegedly committed by the petitioners, this Court is inclined



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to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Thiruchulli, 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 Thousand only) to the satisfaction of the learned Judicial Magistrate, Thiruchulli.

(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, Thiruchulli, shall obtain a copy of any one identity proof of each surety ensure their identity.

(iii) The petitioners shall appear and sign before the respondent-Police daily at 09.00 a.m. until further orders.

(iv) The petitioners shall make themselves available for interrogation by police as and when required.

(v) 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 them from disclosing such facts to the Court or to any police officer.



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

(vii) The petitioners shall not leave India without prior permission of the Court.

(viii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Thiruchulli.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Thiruchulli or Trial Judge, as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by him / her as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-  
24/04/2025

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

VSG



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1 THE JUDICIAL MAGISTRATE  
THIRUCHULLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB INSPECTOR OF POLICE,  
A.MUKKULAM POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

+1. CC to GANESH N. Advocate SR.No.26867(F) DATED 24/04/2025

ORDER  
IN

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Date :24/04/2025

SS/SAR- /26/05/2025/ 7P/6C

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