



CRL OP(MD). No.7505 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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M.Sathish

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar Police Station,
Virudhunagar District.
Crime No.22 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.S.Sankar,
Advocate.

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

For Intervener : Mr.S.Prabhu
defacto complainant

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.22 of 2025 on the file of the respondent-Police.

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



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner 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 petitioner/ A5 apprehends arrest at the hands of the respondent-police for the alleged offence punishable under Sections 194 of Bharatiya Nagarik Suraksha Sanhita, 2023, @ 108 of Bharatiya Nyaya Sanhita (306 of Indian Penal Code, 1860) @ 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 petitioner's parents (A3 and A4) are maternal uncle and aunty of the said Muthupandi. Since A1's father had died, there was no other elder in the house of A1. The petitioner's parent helped their family to arrange the marriage. At the time of betrothal, the petitioner, his parents, A1 and A2 demanded dowry of 30 sovereigns of gold. While so, at the time of marriage, the defacto complainant provided 11 sovereigns of gold and a two-wheeler as seethana articles. It is alleged that, thereafter, the Petitioner and others subjected her to harassment by demanding additional dowry. As a result of such harassment, on 02.03.2025, the victim allegedly committed suicide by consuming



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poisonous substance. Hence, the case.

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4. Mr.S.Sankar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by 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 submits that the petitioner is ready to abide 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. He further submits that with regard to the suspicious death, the Revenue Divisional Officer and Deputy Superintendent of Police has conducted enquiry and filed two different reports. As per the Revenue Divisional Officer's report, there was no dowry demand. As per the Deputy Superintendent of Police's report, there was dowry demand. Accordingly, he prays to dismiss this Criminal Original Petition.

6. 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



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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 the conclusion that there was dowry demand.

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 bail in the event of his arrest or in the event of his 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



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Practice, 2019']. The learned Judicial Magistrate, Thiruchulli, shall obtain a copy of
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any one of identity proof of each surety to ensure their identity.

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

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

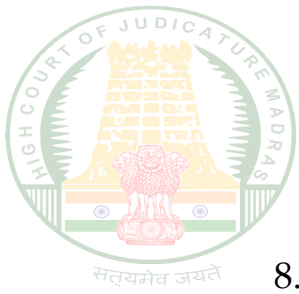
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(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 prior permission of the Court.

(viii) The petitioner shall furnish his 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 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].



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conditions stated supra.

8. Accordingly, this Criminal Original Petition is allowed subject to the

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

VSG

TO

1.THE JUDICIAL MAGISTRATE, THIRUCHULLI.

2.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

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

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



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ORDER
IN
CRL OP(MD) No.7505 of 2025
Date :24/04/2025

PR/26.05 .2025 7P/5C

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