



CRL OP(MD). No.7545 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

CRL OP(MD). No.7545 of 2025

Syed Jesima Nigar

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Keelakarai All Women Police Station,
Ramanathapuram District.
Crime No.7 of 2025

... Respondent/Complainant

For Petitioner : Mrs.S.Shamini

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.7 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 petitioner on 22.04.2025



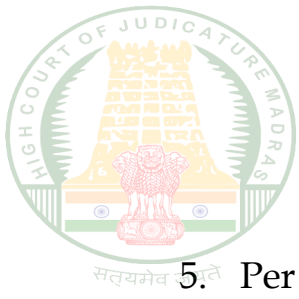
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under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to
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grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the alleged offences punishable under Sections 85, 316(2) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 4 of Dowry Prohibition Act, 1961 in Crime No.7 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that A1 and the defacto complainant are husband and wife respectively. A1 and the petitioner / A2, who is the mother of A1 treated the defacto complainant cruelly and also demanded dowry from her. Hence, the case.

4. Mrs.S.Shamini, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. She further submits that the petitioner is living in a separate house in Chennai and the petitioner has no connection with A1 as well as the defacto complainant and that the defacto complainant only with an ill intention falsely foisted a case against the petitioner. She however submits that the petitioner is ready to abide any conditions to be imposed by this Court. Hence, she prays for grant of pre-arrest bail to the petitioner.



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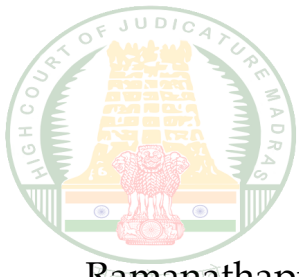
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5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that A1 demanded dowry from the defacto complainant and caused cruelty to her. He further submits that the investigation is yet to be completed and prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the First Information Report.

7. The petitioner / A2 is the mother-in-law of the defacto complainant. A1 is the husband of the defacto complainant. Considering the nature of the offences allegedly committed by the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary for the investigation agency. Hence, 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 her arrest or in the event of her surrender before the learned Additional Mahila Judge, Ramanathapuram, 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 Additional Mahila Judge,



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Ramanāthapuram;

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(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 identity proof of each surety to ensure their identity;

(iii) The petitioner shall make herself available for interrogation by police as and when required;

(iv) 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;

(v) The petitioner shall not leave India without prior permission of the Court;

(vi) The petitioner shall appear and sign before the respondent-Police weekly once i.e., on Sunday at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish her residential address and mobile number to the learned Additional Mahila Judge, Ramanathapuram;

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

(ix) On breach of any of the aforementioned conditions, concerned Magistrate or Trial Judge as the case may be, is entitled to pass appropriate orders against the



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petitioner in accordance with law as if the aforementioned conditions are imposed
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by them 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/-
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.

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TO

- 1.The Additional Mahila Judge, Ramanathapuram.
- 2.The Inspector of Police, Keelakarai All Women Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.7545 of 2025
Date :24/04/2025

PP/20.05.2025 5P/4C

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