



CrI.O.P(MD).No.8403 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 10.07.2025

Pronounced on : 23.07.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CrI.O.P(MD).No.8403 of 2025

and

CrI.M.P(MD)No.8284 of 2025

Alagendrakumar
S/o.Balasubramani

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
AWPS - Thilagar Thidal Police Station,
Madurai City.
(In Crime No.11 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.11 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Sheik Nasurdeen

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)

For intervenor : Mr.K.Sathish Kumar



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ORDER

The petitioner seeks anticipatory bail for the alleged offences U/s.498 (A), 406, 494, 506(i) of IPC, in connection with the case registered in Crime No.11 of 2025 of respondent police.

2. The brief case of the prosecution is that the petitioner is the husband of the defacto complainant. Their marriage was solemnized on 02.06.2008 and out of wedlock, they are blessed with two female children, now aged 13 years and 11 years respectively. It is alleged that the petitioner joined the Post Office in 2010 and was working at Paramakudi, so he started living separately. It is further alleged that the petitioner started to harass the defacto complainant to go to job and demanded money under threat of suicide and also pledged her daughter's jewels to settle loans. Later, the defacto complainant came to know that the petitioner married the second accused and they have a female child aged 8 years and are living separately. When it was questioned, the petitioner criminally intimidated the defacto complainant with dire consequences.

3. The learned counsel for the petitioner has submitted that since marriage



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with defacto complainant, there has been misunderstanding between the petitioner and the defacto complainant. Several panchayats were conducted in the presence of elders and upon the said panchayat, the petitioner and the defacto complainant are living separately. Thereafter, the petitioner filed HMOP.No.63 of 2025 before the Family Court, Madurai, against the defacto complaint for divorce. The defacto complainant appeared in that case, then filed a complaint before the respondent police. The police enquired the complaint and closed it as there was no evidence. Thereafter, on getting direction from the Judicial Magistrate Court No.V, Madurai, this case is registered. The petitioner denied the marriage with the second accused as alleged by the defacto complainant. In fact, the defacto complainant filed the petitions before the Postal Officer stating that the petitioner has not committed any offence and he is taking care of her family and also the second accused is her family friend. The petitioner has not committed any offence as alleged by the respondent police. So, the petitioner may be granted anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submits that the FIR has been registered upon the direction of the Judicial Magistrate for investigation. The allegations against the petitioner are serious in nature and need thorough investigation. The petitioner married the



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second accused without knowledge of the defacto complainant and also while the first marriage is existed. The petitioner has a female child through the second accused. The petitioner was tortured the defacto complainant by demanding dowry, and also with the threat of suicide. The investigation is pending at the preliminary stage. If the petitioner is granted anticipatory bail, he will tamper with the evidence. Hence, the petition may be dismissed.

5. The learned counsel for the defacto complainant/intervenor has submitted that the petitioner got love marriage with the defacto complainant and lead peaceful life. When the petitioner got acquainted with the second accused, he started torture and harassment against the defacto complainant and at the instance of the second accused he received money and jewels, with that money he constructed a house where he is living along with the second accused. The petitioner has a child through second accused. The petitioner is not maintaining the defacto complainant and her children and left them aloof. Hence, he strongly objected to grant anticipatory bail as there is possibility of tampering evidences by the petitioner.

6. Heard and perused the available records. It is seen from the records that the petitioner is the husband of the defacto complainant and he is working in the Postal



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Department. It is alleged that the petitioner received more money and jewels from the defacto complainant and also demanded dowry. It is also alleged that the petitioner got second marriage with the second accused while the first marriage is existed, and the petitioner constructed a separate house where he is living with the second accused. The FIR has been registered against the petitioner and the second accused on various allegations upon the direction of the learned Judicial Magistrate No.V, Madurai, passed in Crl.M.P.No.923 of 2025. The investigation is pending at early stage. The petitioner is the prime accused, whose interrogation is absolutely necessary. Therefore, considering the above circumstances and also considering the allegations/overtacts alleged against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

7. In the result, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

sd/-
23/07/2025

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/08/2025
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 JUDICIAL MAGISTRATE NO.V,
MADURAI.

2.THE INSPECTOR OF POLICE,
AWPS – THILAGAR THIDAL POLICE STATION,
MADURAI CITY.

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

+1. CC to A. SHEIK NASURDEEN Advocate SR.No.8025 (I) DT.25/07/2025

ORDER
IN
CRL OP(MD) No.8403 of 2025
Date :23/07/2025

NM/04.08.2025/ 6P/5C

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