



CRL OP(MD).No.9438 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Reserved on : 26.06.2025

Pronounced on : 15.07.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.9438 of 2025
and
Crl.M.P.(MD).No.7170 of 2025

Inbaraj,
S/o.Rajendran

.. Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Melur, Madurai District.
(Crime No.1 of 2025)

.. Respondent/Complainant

For Petitioner :Mr.Anandha Padmanabhan
Senior Counsel
for
Mr.S.Sukumar

For Respondent : Mr.S.Prakash
Government Advocate (Criminal Side)

For Intervener : Mr.S.Poornachandran



CRL OP(MD).No.9438 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

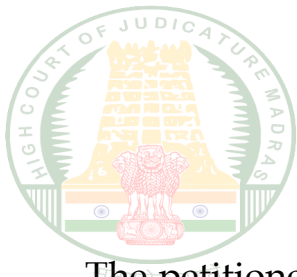
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PRAYER :-

For Anticipatory Bail in Crime No.1 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 85, 296(b), 316(2) and 351(2) of BNS, 2023 and Section 4 of the TamilNadu Prohibition of Harassment of Women Act (TNPHW), 2002 in Crime No.1 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of this petitioner. The marriage between this petitioner and the defacto complainant was solemnized on 21.01.2024. At the time of marriage, 30 sovereigns of gold ornaments, household articles worth about Rs. 4,00,000/-, and cash amounting to Rs. 1,00,000/- were given as dowry. After the marriage, the couple resided at the residence of the fourth accused, where 30 sovereigns of gold ornaments were forcibly taken from the defacto complainant. Further, the petitioner demanded additional dowry of Rs. 15,00,000/- and subjected the defacto complainant to physical and mental cruelty.



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The petitioner also abused her in filthy language and eventually drove her out from the matrimonial home. Hence, the case.

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3. The learned counsel for the petitioner would submit that the petitioner is innocent person he has not committed any offence as alleged by the prosecution, and that a false case has been foisted against the petitioner. He further submitted that the allegations levelled in the FIR are false, baseless, and made with malicious intent. After the marriage, the defacto complainant resided with this petitioner for a brief period of approximately two months. Subsequently, owing to a domestic dispute, she voluntarily left the matrimonial home, taking her jewels and household articles with her. Thereafter, on 22.04.2024, the defacto complainant lodged a complaint against the petitioner, compelling them to approach this Court by filing Crl.O.P.(MD) No.9709 of 2024, seeking protection from harassment under the guise of enquiry. This Court passed an order on 03.07.2024, pursuant to which the matter was referred to the Social Welfare Officer for appropriate enquiry.

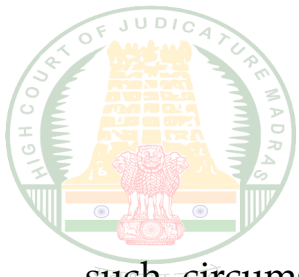
4. He also submitted that, subsequently, on 13.10.2024, another complaint was filed by the defacto complainant, based on which the present FIR came to be registered. He further submitted that the petitioner along with his family members



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i.e., other accused persons were appeared for enquiry before the Social Welfare Officer on 09.12.2024 and that during the said enquiry, the defacto complainant and her relatives attempted to assault the petitioner, following which a complaint was submitted to the Deputy Superintendent of Police, Melur. The Social Welfare Officer also filed a report confirming that there was no instance of dowry harassment. In the meantime, on 05.02.2025, this petitioner received a notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by post from the respondent-police, summoning him to appear on 04.02.2025. Due to the delay in receipt of the said notice, this petitioner was unable to appear on the scheduled date. He further submitted that the petitioner had already instituted H.M.O.P. No.123 of 2024 before the Family Court, Sivagangai, on 15.04.2024, seeking restitution of conjugal rights. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

5. The learned Counsel appearing for the intervener would submit that the defacto complainant was subjected to continuous physical, verbal, and mental harassment at the hands of the petitioner and his family members, who treated her in an inhumane and oppressive manner, akin to slavery. He submitted that, under



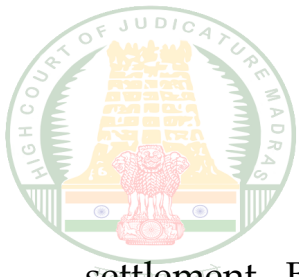
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such circumstances, this petitioner demanded a sum of Rs.5,00,000/- from the defacto complainant, citing the need to meet financial expenses for the construction of a new house. He further submitted that this petitioner threatened that he would resume cohabitation with the defacto complainant only upon receipt of the said amount. Thereafter, the petitioner demanded Rs.10,00,000/-, allegedly to expand the shop of the fourth accused, for which the defacto complainant refused to provide. Thereafter, this petitioner demanded Rs.10,00,000/- from the defacto-complainant to expand his sister's business and renovate her shop.

6. He further submitted that on 23.03.2024, the petitioner and his family members were attempted to murder the defacto complainant, and on the following day, i.e., 24.03.2024, they confined her in a room and physically assaulted her while demanding additional dowry. Fearing for her life and the safety of her unborn child, the defacto complainant sought help of neighbours, contacted her parents, and eventually left the matrimonial home.

7. He further submitted that the accused preferred Criminal Original Petition in CrI.O.P.(MD).No.3665 of 2025 and sought for anticipatory bail. This court considering the nature of offence, referred the case to mediation for amicable



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settlement. Both the parties appeared before the mediation, the accused person agreed before the mediation that he is holding the jewels as well as the educational certificate of the defacto-complainant. When the mediator asked him to produce the jewels he denied the said facts. Subsequently, the matter is referred back to court. This Court on seeing the attitude of the accused, granted anticipatory bail only to the in-laws and dismissed the anticipatory bail petition with regard to the petitioner herein. If the anticipatory bail is granted to the present petitioner, he will cause threat to the defacto complainant and her family members. Accordingly, he prays to dismiss this Criminal Original Petition.

8. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused demanded additional dowry to the tune of Rs.15,00,000/- and subjected the defacto complainant to both physical and mental cruelty. He further submitted that the petitioner abused the defacto complainant in filthy language and ultimately drove her out of the matrimonial home. He further submitted that if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant and tamper with the evidence. Hence, he opposed to grant anticipatory bail to the petitioner.



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9. Heard both sides and carefully perused the material available on record.

10. Considering the allegations that the petitioner and other accused demanded additional dowry to the tune of Rs.15,00,000/- and subjecting the defacto complainant to both physical and mental cruelty, even after a direction to the petitioner to hand over 17½ sovereigns of gold ornaments, the educational certificates, and certain wooden articles belonging to the defacto complainant, the petitioner did not return the same to the defacto complainant and also taking note of the specific overtact allegedly committed by this petitioner, this Court is not inclined to grant anticipatory bail to this petitioner at this stage.

11. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

sd/-
15/07/2025

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/07/2025
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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELUR,
MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.9438 of 2025
Date :15/07/2025

NM/23.07.2025/ 8P/3C

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