



CRL OP(MD). No.10374 of 2025

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

Date : 23/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.L.M.Shibin Leo

2.L.Leons

3.Mariya Theresa

4.L.M.Assis Leo

... Petitioners/ A1 to A4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Marthandam, Kanyakumari District.
(Crime No.29 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.K.Ragatheesh Kumar,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.29 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 294(b) and 506(i) of IPC r/w. Sections 3(1), 4 and 6 of Dowry Prohibition Act, 1961 in Crime No.29 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the husband of the de-facto complainant and the 2nd, 3rd and 4th petitioners are her in-laws. It is alleged that the accused persons demanded additional dowry from the de-facto complainant and also harassed her. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons. On 25.12.2022, the de-facto complainant, along with her parents, approached the petitioners and demanded a sum of Rs.50,00,000/- to secure a



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Government job for the de-facto complainant, intending to use that amount as a bribe. When the petitioners refused, a dispute arose. The petitioners have not committed any offence as alleged by the prosecution. In fact, since the de-facto complainant left her matrimonial home, the 1st petitioner has filed a petition in D.O.P. No.514 of 2023 on the file of the learned Family Judge, Nagercoil, seeking restitution of conjugal rights, which is still pending. Pursuant to the summons issued by the respondent police in connection with the complaint lodged by the de-facto complainant on 31.05.2025, the petitioners have appeared before the respondent police for enquiry. He however submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case, and that the issue pertains to a matrimonial dispute. He fairly conceded that in pursuant to the summons issued, the petitioners have appeared before the respondent police for enquiry. He further submitted that no physical harassment was caused by the petitioners to the de-facto complainant. However, he opposed the grant of anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case, and considering the matrimonial nature of the dispute and the nature of allegations levelled against the petitioners, this Court is of the view that custodial interrogation of the petitioners is not necessary, and also taking note of the fact that as the date of registration of F.I.R. is 31.05.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
23/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mk
TO

1.The Judicial Magistrate No.I,
Kuzhithurai, Kanyakumari District.

2. Do Through The Chief Judicial Magistrate,
Kanyakumari District @ Nagercoil.

3.The Inspector of Police,
All Women Police Station,
Marthandam, Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M/S.ISAAC CHAMBERS, Advocate (SR-6679[I] dated 24/06/2025)

ORDER

IN

CRL OP(MD) No.10374 of 2025

Date :23/06/2025

HPS/09.07.2025 /6P/6C

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