



CRL OP(MD). No.11359 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11359 of 2025

1.Rajapriyan,
S/o.Sivaji @ Ganesan

2.Ganesan,
S/o.Kalanjiyam

3.Tamilselvi,
W/o.Sivaji @ Ganesan

4.Thilagavathi,
D/o.Sivaji @ Ganesan

... Petitioner/ A1 to A4

Vs

1.The State of Tamil Nadu,
Rep. by, the Inspector of Police,
All Women Police Station,
Kodaikanal, Dindigul District.
(Crime No.17 of 2024)

... 1st Respondent/Complainant

2.Subbashini,
W/o.Rajapriyan

... 2nd Respondent/De-facto
Complainant

For Petitioners : Mr.L.M.Vijai Boominathan,
Advocate

For R1 : Mr.S.Prakash,

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



CRL OP(MD). No.11359 of 2025

Government Advocate
(Crl.Side)

WEB COPY

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323 and 506(1) of IPC in Crime No.17 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st accused and the de-facto complainant are husband and wife. The parents of the de-facto complainant had adorned her with 30 sovereigns of gold jewellery and given household articles worth about Rs.2,50,000/- and Rs.3,00,000/- as dowry. Thereafter, all the accused are alleged to have received further 25 sovereigns of gold jewellery from the de-facto complainant by threatening her using filthy language. Hence, a case was registered.

3. The learned counsel appearing for the petitioners submitted that the 1st

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



CRL OP(MD). No.11359 of 2025

WEB COPY

petitioner is the husband of the de-facto complainant, while the 2nd, 3rd and 4th petitioners are in-laws of the de-facto complainant. The petitioners are in no way connected with the alleged offence as stated by the prosecution. Due to a marital dispute between the 1st petitioner and the de-facto complainant, the de-facto complainant has lodged a false complaint against the petitioners at the instigation of her parents. He further submitted that prior to the registration of the present FIR, a petition, seeking restitution of conjugal rights, has already been filed by the 1st petitioner before the Sub Court, Melur, in H.M.O.P.No.69 of 2024. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the issue pertains to dowry harassment, and that the petitioners have been arrayed as A1 to A4 in this case. A5 has been granted anticipatory bail by this Court on 26.06.2025 in Crl.O.P.(MD)No.9382 of 2025. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that prior to the registration of FIR, the 1st accused filed a petition seeking restitution of conjugal rights, and that as the issue pertains to a matrimonial dispute, the custodial interrogation of the petitioners



CRL OP(MD). No.11359 of 2025

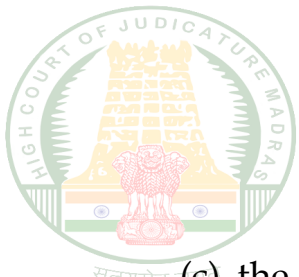
is not necessary, and that as the date of registration of F.I.R. is 29.09.2024, by this time most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

WEB COPY

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Kodaikanal, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Kodaikanal, Dindigul District, failing which, the petitions for anticipatory bail shall stand dismissed and on further condition 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;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Kodaikanal, Dindigul District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Kodaikanal, Dindigul District;



CRL OP(MD). No.11359 of 2025

WEB COPY

(c) the 1st petitioner shall report before the respondent police daily at 10.30 a.m., until further orders, and the 2nd, 3rd & 4th petitioners shall report before the Inspector of Police, Othakkadai Police Station, Madurai 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 themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

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

sd/-
15/07/2025

/ TRUE COPY /

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



CRL OP(MD). No.11359 of 2025

TO मेव जयते

1.The Judicial Magistrate,
Kodaikanal, Dindigul District.

2.Do Through The Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
All Women Police Station,
Kodaikanal, Dindigul District.

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

Copy to
The Inspector of Police,
Othakkadai Police Station,
Madurai District.

+1 CC to M/s.L.M.VIJAI BOOMINATHAN, Advocate (SR-7681[I] dated
16/07/2025)

ORDER
IN

CRL OP(MD) No.11359 of 2025
Date :15/07/2025

HPS/06.08.2025 /6P/7C

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