



CRL OP(MD). No.11622 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.11622 of 2025

1.Martin Sarath

2.Godwin Bharath

3.Abinaya

4.Rita Raj

... Petitioners/
Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
AWPS Tirunelveli Rural Police Station,
Tirunelveli District.
(Crime No.42 of 2025)

... Respondent/
Complainant

For Petitioners : Mr.K.Suyambulinga Bharathi,
Advocate

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



CRL OP(MD). No.11622 of 2025

WEB COPY PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No.42 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1, 3, 4 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 85 and 316(2) BNS, 2023 and Section 4 of Dowry Prohibition Act, 1961 in Crime No.42 of 2025 on the file of the respondent police, seek anticipatory bail.

2. Admittedly, the first petitioner is the husband, the second petitioner is the brother-in-law, the third petitioner is the sister-in-law and the fourth petitioner is the mother-in-law of the defacto complainant.

3. The case of the prosecution is that the petitioners had abused the defacto complainant and demanded dowry from her. Hence, the case.

4. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He would further submit that the petitioners are no way



CRL OP(MD). No.11622 of 2025

WEB COPY

connected with the case, a false case has been lodged as against the petitioners and that the petitioners are ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.

5. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 4 accused and that it is a matrimonial dispute and the petitioners had demanded dowry from the defacto complainant. He would further submit that FIR was registered only on 01.07.2025. Hence, he opposed to grant anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, and also taking note of the fact that there is specific overt act against the first petitioner and also the fact that FIR was registered only on 01.07.2025, this Court is not inclined to grant anticipatory bail to the first petitioner. However, taking note of the fact that the petitioners 2 to 4 are in-laws of the defacto complainant and also the fact that it is only a matrimonial dispute, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4, subject to certain conditions.



CRL OP(MD). No.11622 of 2025

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7. Accordingly, the petitioners 2 to 4 are ordered to be released on anticipatory 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 Judicial Magistrate No.III, Tirunelveli on condition that the petitioners 2 to 4 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 Judicial Magistrate No.III, Tirunelveli and on further conditions that:

(a) the petitioners 2 to 4 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 2 to 4 shall furnish their residential address and contact number to the learned Judicial Magistrate No.III, Tirunelveli. In the event of any change in their residential address, the petitioners 2 to 4 shall report the same to the learned Judicial Magistrate No.III, Tirunelveli;

(c) the petitioners 2 to 4 shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.11622 of 2025

WEB COPY

(e) the petitioners 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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;

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

8. Accordingly, this Criminal Original Petition is dismissed as against the first petitioner and allowed in respect of petitioners 2 to 4.

sd/-
09/07/2025

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

CSM

TO

1. The Judicial Magistrate No.III,
Tirunelveli.



CRL OP(MD). No.11622 of 2025

2. Do through the Chief Judicial Magistrate,
Tirunelveli District.

3. The Inspector of Police,
AWPS Tirunelveli Rural Police Station,
Tirunelveli District.

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

ORDER
IN
CRL OP(MD) No.11622 of 2025
Date :09/07/2025

AS/28.07.2025/6P/5C

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