



CRL MP(MD). No.9883 of 2025

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

Date : 31/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). Nos.12085 & 12090 of 2025
and
CRL MP(MD). No.9883 of 2025

1.Jeyarani,
W/o.Soundarapandian

2.Darshan,
S/o.Soundarapandian

... Petitioners in
CrI.O.P.(MD).No.12085 of 2025/ A3 & A4

Jeyabalamurugan,
S/o.Soundarapandian

... Petitioner in
CrI.O.P.(MD).No.12090 of 2025/ A1

Vs

The State of Tamilnadu,
Rep by the Sub-Inspector of Police,
All Women Police Station,
Oomachikulam,
Madurai District.
(Crime No.14 of 2025)

... Respondent/Complainant
in both petitions



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For Petitioners : Mr.Mohammed Ashik Jaman.J,
(in both petitions) Advocate

For Respondent : Mr.S.Prakash,
(in both petitions) Government Advocate
(Criminal Side)

For Intervenor : Mr.P Krishnasamy,
(in CrI.O.P.(MD) Advocate
No.12090 of 2025)

COMMON PRAYER :-

For Anticipatory Bail in Crime No.14 of 2025 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1, A3 & A4, who apprehend arrest at the hands of the respondent police for the offences under Sections 109, 498(A) and 506 of IPC r/w. Section 4 of TNPHW Act in Crime No.14 of 2025 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. It is alleged that the 1st accused, at the instigation of the other accused, harassed the de-facto complainant by demanding a further dowry of Rs.10,00,000/-. Hence, the present case.



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3. The learned counsel for the petitioners submitted that the 1st accused is the husband of the de-facto complainant, and the 3rd and 4th accused are her mother-in-law and brother-in-law, respectively. The issue pertains to a matrimonial dispute. He submitted that after the filing of a divorce petition by the 1st accused in H.M.O.P. No.125 of 2024 on the file of the Sub Court, Paramakudi, the present FIR came to be registered by the de-facto complainant against the petitioners. He also submitted that the father of the de-facto complainant is an advocate and is influencing the police to take revenge against the petitioners. He further submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. However, he submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned counsel appearing for the intervenor submitted that the de-facto complainant is deaf and dumb, with 90% hearing impairment. At the time of marriage between the 1st accused and the de-facto complainant, her parents gave gold jewellery and household articles worth about Rs.3 lakhs as Sridhana. After the marriage, the 1st accused allegedly began torturing the de-facto complainant by



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demanding additional dowry of Rs.10 lakhs. He further submitted that the investigation is at a preliminary stage, and if the 1st accused is granted anticipatory bail, he may abscond and tamper with witnesses and evidence. Hence, he strongly opposed to grant anticipatory bail to the 1st accused.

5. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case. The 1st accused is the husband of the de-facto complainant, and the 2nd to 4th accused are her in-laws. The 2nd accused is currently residing abroad. The de-facto complainant is a disabled person. It is alleged that the accused harassed the de-facto complainant by demanding an additional dowry of Rs.10,00,000/-. Hence, he opposed to grant anticipatory bail to the petitioners.

6. Taking into consideration the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that as per the FIR, the 1st accused demanded a sum of Rs.10 lakhs as dowry, and that the investigation in this case is at preliminary stage, and that there is a specific overt act attributed against the 1st accused, this Court is not inclined to grant anticipatory bail to the 1st accused/petitioner in CrI.O.P.(MD) No.12090 of 2025. However, considering the fact

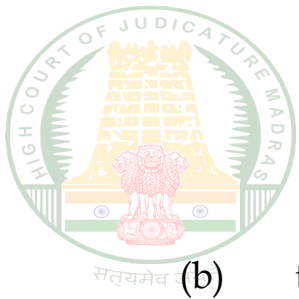


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that the 3rd and 4th accused are only the in-laws of the de-facto complainant, and that no specific overt act has been attributed against them, this Court is of the view that custodial interrogation of the 3rd and 4th accused is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the 3rd and 4th accused/petitioners in CrI.O.P.(MD)No.12085 of 2025, subject to certain conditions.

7. Accordingly, the petitioners/A3 and A4 in CrI.O.P.(MD)No.12085 of 2025 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 No.V, Madurai, on condition that the petitioners in CrI.O.P.(MD)No.12085 of 2025 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 No.V, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners in CrI.O.P.(MD)No.12085 of 2025 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 in Crl.O.P.(MD)No.12085 of 2025 shall furnish their residential address and mobile number to the learned Judicial Magistrate No.V, Madurai. In the event of any change in their residential address, the petitioners in Crl.O.P.(MD)No.12085 of 2025 shall report the same to the learned Judicial Magistrate No.V, Madurai;

(c) the petitioners in Crl.O.P.(MD)No.12085 of 2025 shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners in Crl.O.P.(MD)No.12085 of 2025 shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners in Crl.O.P.(MD)No.12085 of 2025 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 Crl.O.P.(MD) No.12085 of 2025 in accordance with law as if the conditions have been imposed and the petitioners in Crl.O.P.(MD)No.12085 of 2025 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 in Crl.O.P.(MD)No.12085 of 2025 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.



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8. Accordingly, the Criminal Original Petition in CrI.O.P.(MD)No.12085 of 2025 is allowed, and the Criminal Original Petition in CrI.O.P.(MD)No.12090 of 2025 is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

sd/-
31/07/2025

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

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TO

1.The Judicial Magistrate No.V,
Madurai.

2.Do Through The Chief Judicial Magistrate, Madurai.

3.The Sub-Inspector of Police,
All Women Police Station,
Oomachikulam, Madurai District.

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

+2 CC to M/s.J.MOHAMED ASHIK JAMAN, Advocate (SR-8310 & 8311 [I] dated
01/08/2025)

ORDER
IN
CRL OP(MD) Nos.12085 & 12090 of 2025
Date :31/07/2025

HPS/18.08.2025 7P/7C

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