



CRL OP(MD). No.12365 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Nagoor Meeran,
S/o.Akbar Ali

2.Ayishammal @ Ayisa,
W/o.Raja Mohammed

3.Abiya,
W/o.Sikkandar

... Petitioners/ A1 to A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
(Crime No.13 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Nihar Ali,
Advocate

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

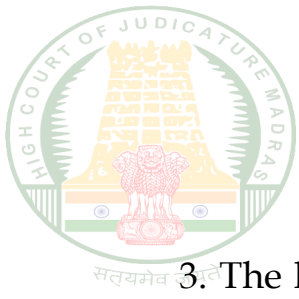
PRAYER :-

For Anticipatory Bail in Crime No.13 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 406 of IPC r/w. Section 4 of Muslim Women (Protection of Rights on Marriage) Act, 2019 in Crime No.13 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner and the de-facto complainant are husband and wife. At the time of their marriage, the de-facto complainant's parents are said to have gifted 8 sovereigns of gold ornaments and a sum of Rs.50,000/- to the petitioners. Thereafter, the 2nd and 3rd petitioners allegedly harassed and abused the de-facto complainant and further instigated the 1st petitioner to demand additional dowry from her. Subsequently, on 09.06.2025, the 1st petitioner suddenly issued a Talaq notice to the de-facto complainant. Hence, the present case has been registered.



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3. The learned counsel for the petitioners submitted that the issue pertains to a matrimonial dispute. The 1st petitioner is the husband of the de-facto complainant, the 2nd petitioner is the maternal aunt of 1st petitioner, and the 3rd petitioner is the daughter of the 2nd petitioner. He submitted that the 1st petitioner has filed a suit in O.S.No.65 of 2025 on the file of the Family Court, Madurai, seeking divorce and hence, the de-facto complainant has lodged the present false complaint against the petitioners. The petitioners are innocent persons and are in no way connected with the alleged occurrence as stated by the prosecution. He, however, 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 Government Advocate (Criminal Side) submitted that the issue pertains to a matrimonial dispute. There are totally three accused persons in this case. He submitted that the petitioners tortured the de-facto complainant by demanding cash for the purchase of a vehicle. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also taking note of the fact that the issue pertains to a matrimonial dispute, that the custodial interrogation of the petitioners is not necessary, and that the present FIR was lodged by the de-facto complainant only after the 1st petitioner filed the suit seeking divorce,



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this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

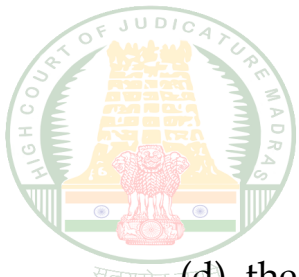
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6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Madurai 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Madurai 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;

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

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



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(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/-
25/07/2025

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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.II,
Madurai

2 Do Through the Chief Judicial Magistrate,
Madurai District.

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



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3 The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai City.

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

ORDER
IN
CRL OP(MD) No.12365 of 2025
Date :25/07/2025

AS/14.08.2025/6P/5C

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