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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2025

PRESENT
THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12879 of 2025

1.Vargeesh,
S/o.Anthony Pillai
2.Ramani,
W/o.Stephan
3.Raja,
S/o.Stephan
4.Sibi,
W/o.Rijo

... Petitioners/A2 to A5

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
AWPS Colachel Police Station,
Kanyakumari District.
(Crime No.14 of 2025)

... Respondent/Complainant

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS
PRAYER :-
For Anticipatory Bail in Crime No.14 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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The petitioners/A2 to A5, 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 Dowry Prohibition 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 petitioners threatened and harassed the de-facto complainant by demanding additional dowry. Hence, the present case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are only in-laws of the de-facto complainant, and are innocent persons and are in no way connected with the alleged occurrence as stated by the prosecution. They have been falsely implicated in this case. 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 (Crl. side) submitted that there are totally five accused persons in this case and the petitioners have been arrayed as A2 to A5. The petitioners, who are the in-laws of the de-facto complainant, demanded additional dowry from the de-facto complainant. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the

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nature of the offence, and also taking note of the fact that the petitioners are only in-laws of the de-facto complainant, and that as the date of registration of FIR is 19.04.2025, by this time material part of the investigation might have been completed, and that as the issue pertains to a matrimonial dispute, custodial interrogation of the petitioners is not necessary in this case, 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 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, Eraniel 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, Eraniel, failing which, the petition 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, Eraniel. In the event of any change in their residential

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address, the petitioners shall report the same to the learned Judicial Magistrate, Eraniel;

(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 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/-
12/08/2025

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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 Court, Eraniel.

2.The Inspector of Police, AWPS Colachel Police Station, Kanyakumari District.

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

ORDER
IN
CRL OP(MD) No.12879 of 2025
Date :12/08/2025

NBF/SAR- /01/09/2025/ 5P/4C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023