



CRL OP(MD).No.12938 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

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1. Marimuthu,
S/o.Eswaran,

2. Veerammal,
W/o.Marimuthu

3. Thangeswaran,
S/o.Marimuthu,

4.Vijayalakshmi,
W/o.Irulappan

..Petitioners/ Accused
Nos.3 to 6

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
(Crime No.22 of 2025)

.. Respondent/Complainant

For Petitioners : Mr.A.Balakrishnan
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.22 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(i), 494 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2022 in Crime No.22 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant married the 1st accused namely Karutharaja on 06.09.2020, he is working as a constable in Tamil Nadu police department. At the time of marriage 15 and 2 sovereign jewels and 30 thousand cash and household articles were given as dowry. Immediately after marriage they were moved at the work place of husband at Arivalur. Due to the wed lock they were blessed with 2 children. While so during the year of 2021, the 1st accused/husband developed illegal affair with the 2nd accused Kaliasammal, while questioning the same, the 1st accused/husband abused and assaulted the de-facto complainant. In these regards, a complaint was made by the wife against the husband before the Vanniyampatti Police station and the same was registered as Crime



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No.24/2024 against the 1st accused/husband for the offenses punishable u/s 294(b),
324,506(2) r/w section 4 of Tamil Nadu Prohibition of Harassment Of women Act,
2022. In the meantime, the complainant was deserted by her husband and the first
accused started to live with the 2nd accused/kaliammal. The 1st accused/husband
was supported by the family members of the first accused. Hence, the defacto-
complainant made a complaint before the respondent police to take action against her
husband, 2nd wife and family members of both of them. But, they not registered the
FIR. Hence she moved an application under section 156(3) before the learned
Magistrate. Upon the direction issued by Learned Judicial Magistrate FIR came to be
registered. Hence the case.

3. The learned counsel for the petitioners would submit that the first and second
petitioners are the parents of the first accused, the third petitioner is the brother of the
first accused, fourth petitioner is the married sister of first accused. These petitioners
had no knowledge about the live-in-relationship of first accused with the second
accused. In respect of the very same issue already the defacto-complainant made a
complaint before the Vanniyampatti Police station against the first accused and the
same was registered in Crime No.24 of 2024. For the very same set of facts, the
present complaint was made before the respondent police. The respondent police
lodged a false complaint against these petitioners. The petitioners are innocent



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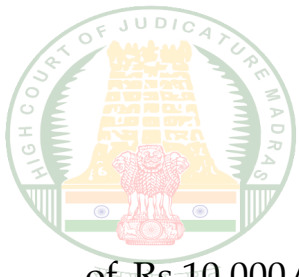
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persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that it is the case of domestic violence, date of occurrence on 25.02.2024, as per the direction issued by Learned Judicial Magistrate FIR was registered on 11.07.2025. At the time of occurrence no one sustained injury, There is no previous case pending against these petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the fact that at the time of occurrence no one sustained injury, it is the case of domestic violence, date of occurrence on 25.02.2024, as per the direction issued by Learned Judicial Magistrate FIR was registered on 11.07.2025, by this time most of the investigation might have been completed, there is no previous case pending against these petitioners, 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 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 Additional Mahila Court, Srivilliputhur on condition that the petitioner shall execute separate bond for a sum



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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 Additional Mahila Court, Srivilliputhur 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 contact number to the learned Additional Mahila Court, Srivilliputhur. In the event of any change in their residential address, the petitioners shall report the same to the learned Additional Mahila Court, Srivilliputhur;

(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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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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.

sd/-
05/08/2025

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

gvn

TO

1.The Judge,
Additional Mahila Court,
Srivilliputhur

2.The Inspector of Police,
All Women Police Station,
Srivilliputhur.
Virudhunagar District.

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



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+1 CC to M/s.A.BALAKRISHNAN, Advocate (SR-8480[I] dated 06/08/2025)

ORDER
IN
CRL OP(MD) No.12938 of 2025
Date :05/08/2025

AS/26.08.2025/7P/5C

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