



CRL OP(MD). No.13593 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13593 of 2025

Anthonyraj,
S/o.Loorthusamy

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
All Women Police Station,
Sivakasi, Virudhunagar District.
(Crime No.15 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.J.Lawrance,
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.15 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.13593 of 2025

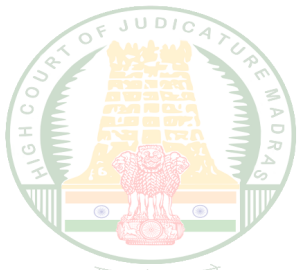
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ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 85, 296(b) and 115(2) of BNS, 2023 in Crime No.15 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused and the de-facto complainant are husband and wife, and the petitioner/2nd accused is the father-in-law of the de-facto complainant. Due to misunderstandings between the 1st accused and the de-facto complainant, the 1st accused used to slap and abuse the de-facto complainant, thereby causing mental agony to her. Hence, the present case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the 1st accused has filed a divorce petition in H.M.O.P.No.101 of 2025 on the file of the Sub Court, Sivakasi. Subsequently, the de-facto complainant has filed a petition seeking restitution of conjugal rights in H.M.O.P.No.114 of 2025 on the file of the Sub Court, Sivakasi. He submitted that the dispute is purely matrimonial in nature between the 1st accused and the de-facto complainant, and that the petitioner, being the father-in-law of the de-facto complainant, is in no way connected with the alleged



CRL OP(MD). No.13593 of 2025

WEB COPY

occurrence as stated by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the issue pertains to a matrimonial dispute. There are totally two accused persons in this case, and the petitioner has been arrayed as A2. A1 is working abroad, and the petitioner is the father-in-law of the de-facto complainant. He further submitted that pursuant to the direction of the learned Judicial Magistrate No.1, Sivakasi, in Cr.M.P.No.170 of 2025, the present FIR came to be registered. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the issue pertains to a matrimonial dispute, and that the FIR came to be registered only pursuant to the direction of the learned Judicial Magistrate No.1, Sivakasi, in Cr.M.P.No.170 of 2025, and that the petitioner is only the father-in-law of the de-facto complainant, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.13593 of 2025

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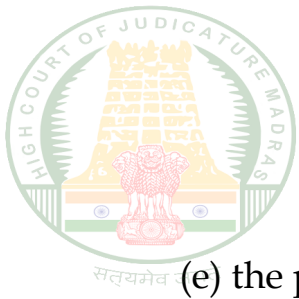
6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Sivakasi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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.1, Sivakasi, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner 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 petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Sivakasi. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Sivakasi;

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

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.13593 of 2025

WEB COPY

(e) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
21/08/2025

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

mkn
TO

1 The Judicial Magistrate No.1,
Sivakasi.

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

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

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



CRL OP(MD). No.13593 of 2025

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ORDER
IN
CRL OP(MD) No.13593 of 2025
Date :21/08/2025

AS/11.09.2025/6P/5C

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