



CRL OP(MD). No.19583 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Kulam @ Sheik Kulam,
S/o.Mohamed Farook

... Petitioner/A4

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
All Women Police Station,
Keelakkarai, Ramanathapuram.
(Crime No.5 of 2016)

... Respondent/Complainant

For Petitioner : Mr.SMA Jinnah,
Advocate

For Respondent : Mr.M.Aasha,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.5 of 2016 on the file of
the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 498(A) of IPC r/w. Section 4 of Dowry Prohibition Act, in Crime No.5 of 2016 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. Due to dowry harassment by the accused persons, the present complaint has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is the husband of the 1st accused's sister. Since the petitioner is in abroad, he had no knowledge about the case and hence, he could not attend the Court hearing on 05.05.2023. He further submitted that the petitioner is an innocent person and has not committed any offences as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that it is a jumped out bail. Since the petitioner was absconding, the trial Court split up the trial and new calender case number was assigned as against this petitioner/A4. The parent case, which was registered in C.C.No.33 of 2023, was ended in acquittal. However, she opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that it is a jumped out bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Additional Mahila Court at Magistrate Level, Ramanathapuram, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:



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[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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner is directed to appear before the trial Court for all hearings, without fail. However, the petitioner is at liberty to file a petition under Section 317 of Cr.P.C. before the trial Court, since the petitioner is working abroad;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 is released on bail by the learned Magistrate/Trial Court himself as laid down by the



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala

[(2005)AIR SCW 5560]; and

[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

7. Accordingly, this Criminal Original Petition is allowed.

(S S Y J)
07.11.2025

Note : Issue order copy on **07.11.2025**.

pjl/mkn

To

- 1.The Additional Mahila Court at Magistrate Level,
Ramanathapuram.
- 2.The Inspector of Police,
All Women Police Station,
Keelakkarai, Ramanathapuram.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

pjl/mkn

**ORDER
IN
CRL OP(MD). No.19583 of 2025**

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