



CRL OP(MD). No.23978 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.12.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP (MD) No.23978 of 2025

1.Nathar Khan
2.Nainar Hameed
3.Javaira Banu @ Saveriya Banu
4.Parveen Fathima ... Petitioners

Vs

State of TamilNadu rep. by
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
(Crime No.27 of 2025) ... Respondent

For Petitioner : Mr.A.Uthaya Kumar

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.27 of 2025 on
the file of the respondent police.

ORDER : The Court made the following order :-

1/7



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The petitioners/Accused Nos.1, 2, 3 and 5, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 498(A), 406 of IPC, in Crime No.27 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one Ashika Banu, who is the wife of the first petitioner has lodged a complaint before the respondent Police on 12.12.2025 and the same was registered in Crime No.27 of 2025 for the offences under Sections 498(A), 406 of IPC. Further, it is alleged that the marriage was performed between the first petitioner and the defacto complainant on 26.06.2018 in the presence of well wishers and family members as per the Muslim customs. After the marriage, they were leading the family life at matrimonial home, thereafter, there was misunderstanding between



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the first petitioner and the defacto complainant and the petitioners had made cruelty upon the defacto complainant demanding dowry. Hence, the complaint.

3. The learned Counsel for the petitioners would submit that due to matrimonial dispute between the first petitioner and the defacto complainant, the defacto-complainant had lodged a false complaint against the petitioners, who are husband and in-laws of the defacto complainant. The petitioners have not involved in any of the offences as alleged by the prosecution. The petitioners are innocent and are falsely implicated in this case. He further submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.side) would submit that due to matrimonial differences between the petitioner and the defacto complainant, the petitioners had made cruelty upon the defacto complainant. Hence, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of allegations and also considering the relationship between the parties, this Court is inclined to grant an order of anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 Judicial Magistrate Court No.2, Madurai, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the



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satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, 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 report before the respondent Police daily at 10.30a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners



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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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(M J R J)
26.12.2025

Sn/indu

TO

- 1.The Judicial Magistrate Court No.2,
Madurai.
- 2.The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M. JOTHIRAMAN, J

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ORDER
IN
CRL OP (MD) No.23978 of 2025

Dated : 26.12.2025