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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

CRL OP Nos. 2225 & 2226 of 2026

B.Nandhitha

...Petitioner/  
De-facto complainant

Versus

1.Kamala

...1st respondent/A2 in Crl.O.P.2225/2026

2.State, rep. By

The Inspector of Police

AWPS Police Station

Bhavani

Crime No. 38 of 2025

Erode District

..2nd Respondent in Crl.O.P.No.2225 &  
3<sup>rd</sup> respondent in Crl.O.P.No.2226 of 2026

3.B.T. Muthukumar

4.S.Thiyagarajan

...Respondents 1&2/A1 & A3  
in Crl.O.P.No. 2226 of 2026

**Common Prayer:** Criminal Original Petitions are filed under Section 439 (2) of the Code of Criminal Procedure, to cancel the anticipatory bail order dated 20.01.2026 made in Crl.M.P.Nos.2791 & 2816 of 2025 on the file of Principal District and Sessions Court, Erode, respectively.



For Petitioner/  
Defacto complainant : Mr.N.Manoharan  
(in both petitions)

For RR1 and 3  
(in both petitions) : Ms.J.R.Archana  
Government Advocate, Criminal Side

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### **COMMON ORDER**

These Criminal Original Petitions have been filed to cancel the anticipatory bail granted to the bail petitioners therein made in Crl.M.P.Nos.2791 and 2816 of 2025, dated 20.01.2026 on the file of Principal District and Sessions Court, Erode.

2.The learned Counsel for the petitioner submitted that the Sessions Court, while granting anticipatory bail to the bail petitioners in Crl.M.P.Nos.2791 & 2816 of 2025, observed that a mediation settlement had taken place between the parties. He further submitted that there are other allegations against the bail petitioners that the Sessions Court has not considered, and therefore, the petitioner/de-facto complainant seeks to cancel



the anticipatory bail granted to the bail petitioners, considering to the gravity of the offence.

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3.I have gone through the orders passed by the learned Principal Sessions Judge, Erode, dated 20.01.2026 in CrI.M.P.Nos.2791 & 2816 of 2025 in which, the learned Judge elaborately considered the accusations and other circumstances and granted anticipatory bail to the bail petitioners, and the order reads thus:-

“Admittedly, this is the petition seeking anticipatory bail by the petitioners herein. On perusal of records, it reveals that the petitioner/A1 and the de-facto complainant are husband and wife and their marriage was solemnized on 22.02.2024 and the petitioner/A1 and the de-facto complainant are living separately due to misunderstanding arose between them. Further, the petitioner/A1 has filed a petition for dissolution of marriage before the Sub Court, Bhavani in HMOP.No. 199 of 2025 and the same is pending. As per the case of prosecution, the petitioners have demanded dowry from the de-facto complainant, harassed and assaulted her, caused mental cruelty by body shaming and also the petitioner/A1 harassed the de-facto complainant by not co-operating for cohabitation and cheated her. The case was referred to Mediation for settlement and no agreement was reached. In the above circumstances, considering the dispute between the spouses and also considering the apprehension of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners herein subject to the conditions.”



4.The above reasons given by the learned Principal Sessions Judge, Erode, speak for itself and merits of the case is elaborately considered, hence this Court finds no valid ground for cancellation of the anticipatory bail granted to the bail petitioners.

5.Accordingly, both the Criminal Original Petitions are dismissed.

**02.02.2026**

MSM

To

1.The Inspector of Police

AWPS Police Station

Bhavani

Crime No. 38 of 2025

Erode District

2.The Public Prosecutor, High Court, Madras.



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**K.RAJASEKAR, J.**

MSM

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