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Crl.O.P. Nos.7490 & 7491 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.Nos.7490 & 7491 of 2026

K.Rajeswari Petitioner in Crl.O.P.No.7490 of 2026

K.Devakumaran ... Petitioner in Crl.O.P.No.7491 of 2026

Vs.

State represented by
The Inspector of Police,
AWPS W-15, Royapuram Police Station,
Chennai – 600 013.
Crime No.02 of 2026

... Respondent in both Ops

PRAYER in both OPs: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his arrest by the respondent police in the above Crime No.02 of 2026 on the file of the respondent.

For Petitioner : Mr.KP.Sathish Kumar

For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)



The petitioners apprehend arrest for the alleged offence under Section 420 of the Indian Penal Code, 1860, in Crime No.02 of 2026 on the file of the respondent police seeks anticipatory bail.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the H.M.O.P. was filed for divorce before the Family Court, Chennai in OP.No.346 of 2026 and while so, defacto complainant has come up with the present false complaint alleging dowry harassment and bigamous marriage. Hence, he prays to grant anticipatory bail to the petitioners.

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is relating to a matrimonial discord between the defacto complainant and her husband.

5. Considering the fact that the divorce proceedings is pending between the parties and also the fact that for the cases of this nature, custodial interrogation is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned XVI Metropolitan Magistrate Court, George Town**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice,



2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner in Crl.O.P.No.No.7491 of 2026 shall appear before the respondent police twice daily at 10.30.a.m., and 05.30.p.m., for a period of two weeks and thereafter as and when required for interrogation and the petitioner in Crl.O.P.No.7490 of 2026 shall appear before the respondent police as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The XVI Metropolitan Magistrate Court, George Town
- 2.The Inspector of Police,
AWPS W-15, Royapuram Police Station,
Chennai – 600 013.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

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