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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9129 of 2026

M.Karthiban, S/o.Moorthy

..Petitioner

Vs

The State represented by its,
The Inspector of Police,
W-30, AWPS Poonamalle Police Station,
Poonamalle, Chennai – 600 056.
(Crime No.32/2025)

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner/accused on anticipatory bail in the event of the arrest by the respondent police in connection with Crime No.32 of 2025, pending investigation on the file of the respondent Police – W30 AWPS Poonamalle Police Station.

For Petitioner : Mr.J.Janarthanan

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

ORDER

The petitioner, who apprehend arrest for the alleged offence **under Section 498(A) of IPC in Crime No.32 of 2025**, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that it was informed by the petitioner's parents that the petitioner was a divorcee and thereafter, the marriage between



the petitioner and the de-facto complainant was solemnized on 07.06.2025.

Further, the de-facto complainant's family provided 25 sovereigns of gold jewels as dowry and started their life. Subsequently, the complainant was forced to pledge her jewels to buy a car for the petitioner and was continuously tortured, unable to bear the same, the complainant attempted to commit suicide and subsequently, she had lodged the complaint and later came to know about the petitioner's first marriage status, which was subsisting. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioner was innocent and that he has been falsely implicated in this case. He further submitted that, the only grievance raised in the FIR is that, the petitioner has suppressed his first marriage status. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the anticipatory bail application on the ground that the petitioner has demanded dowry and has also treated the de-facto complainant with cruelty. Hence, he opposed to grant anticipatory bail to the petitioner.



5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

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6. Considering the totality circumstances of the case and on the further fact that the FIR was registered on 05.12.2025, where it is seen that, it is a matrimonial dispute between the petitioner and the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 on which the order copy is made ready, before the **Learned Judicial Magistrate -I, Poonamalle**, on condition that the **petitioner 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 second petitioner 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



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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;

(d) The petitioner shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of 30 days months;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]*;

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

10.04.2026

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To

1. The Judicial Magistrate -I, Poonamalle.
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police, W-30, AWPS Poonamalle Police Station,
Poonamalle, Chennai – 600 056.

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