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CRL OP No. 9893 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9893 of 2026

1. Udayakumar
2. Palani
3. Poongodai
4. Pandian

..Petitioner(s)

Vs

The State Rep. By The Inspector of Police
All Women Police Station,
Puducherry.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioners on bail in the event of arrest in connection with the Crime No.05 of 2026 on the file of respondent police and pass such further or other order as this Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s):

Mr.M.Abdul Kareem

For Respondent(s):

Mr.R.Kishore Kumar
Government Advocate
(Criminal Side)



ORDER

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The petitioners, apprehending arrest by the respondent police for offences punishable under Sections 3(5) and 85 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.05 of 2026, seek anticipatory bail.

2. According to the prosecution, the petitioners demanded dowry from the defacto complainant, the wife of the first petitioner, to establish a new business. It is alleged that the defacto complainant was subjected to continuous mental and physical cruelty and harassment, leading to the registration of this case.

3. The learned counsel for the petitioners submits that the first petitioner is the husband of the defacto complainant, the second and third petitioners are his parents, and the fourth petitioner is his uncle. He contends that this is essentially a matrimonial dispute and that the couple has been living separately since the defacto complainant left the matrimonial home on September 20, 2025. He further argues that the complainant is attempting to criminalise a civil dispute, despite the petitioners' bona fide attempts to reunion and reconciliation. claiming false implication due to the matrimonial rift, the learned counsel maintains that custodial interrogation is unnecessary.



4. The learned Government Advocate (Criminal Side), appearing for the respondent police, opposes the grant of anticipatory bail and on instructions, he submitted that while the matter stems from a matrimonial dispute, an altercation during the reunion attempts escalated into a family quarrel. He further notes that the first petitioner has filed for divorce in M.O.P.No.210 of 2026, which is currently pending before the Family Court Judge, Puducherry. He confirms, however, that the petitioners have no prior criminal antecedents.

5. Considering the circumstances of the case, particularly that the matter arises from a matrimonial dispute and the petitioners have no prior criminal antecedents, this Court takes note of the submission that the first petitioner has filed for divorce and the parties have been living separately since September 2025, through the prosecution alleges harassment for dowry, given the nature of the dispute and the fact that custodial interrogation is not deemed necessary for the progress of the investigation, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Mahila Court, Puducherry, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties



each for a likesum to the satisfaction of the learned Magistrate concerned, and
on further conditions:

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(a) If the petitioner(s) 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(s) shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d) The petitioner(s) shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) released on anticipatory 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 v. State of Kerala*
[(2005) AIR SCW 5560];

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

24-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni

To

- 1.The Mahila Court, Puducherry.
- 2.The Family Court Judge, Puducherry.
- 3.The Inspector of Police, All Women Police Station, Puducherry.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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