



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL OP No. 13737 of 2026

1. Raja Mohamed
S/o.MohamedMaideen,
No.4A/21D, Katharoli Abdulla Nagar,
Lakshmangudi, Needamangalam Taluk,
Koothanallur,Tiruvarur district,
Tamil Nadu - 610001.
2. Rukshana Begum
W/o Raja Mohamed,
No.4A/21D, Katharoli Abdulla Nagar,
Lakshmangudi, Needamangalam Taluk,
Koothanallur,Tiruvarur district,
Tamil Nadu - 610001.

..Petitioners/Accused 2
& 3

Vs

The State represented by its
The Inspector of Police
AWPS-Tiruvarur Police Station,
(Integrated Women Police Station),
Tiruvarur District.

..Respondent/
complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the
Petitioners/Accused 2 and 3 on bail in the event of their arrest by the
Respondent/Complainant herein in Crime No.17 of 2026 on the file of AWPS-
Tiruvarur Police Station, Tiruvarur District.

For Petitioners:

M/s.L.Sarath Pandian

For Respondent:

Mr.S.Yogaraja Sekar,

Government Advocate (criminal side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b) and 498 (A) of the Indian Penal Code, Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act, 2002 and Section 4 of the Dowry Prohibition Act, 1961, in Crime No. 17 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute between the defacto complainant /wife and her husband, the petitioners being the in laws of the defacto complainant, subjected her to cruelty, abused her in filthy language, assaulted her and demanded dowry and based on the said allegations, the respondent police registered the present case against the petitioners.

3. The learned counsel for the petitioners, pleading innocence on the part of the petitioners and false implication in the case, seeks indulgence of this Court. He submits that the petitioners are innocent and have been falsely implicated in the present case due to matrimonial misunderstanding and family disputes. He further submits that no specific overt act has been attributed against them and the allegations are false, exaggerated and made only to harass the entire family. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore he



prayed to grant anticipatory bail to the petitioners.

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4. *Per contra*, the case of the prosecution as put forth by the learned Government Advocate (criminal side) appearing for the respondent police, opposing for grant of anticipatory bail, is that specific allegations have been made against the petitioners with regard to matrimonial cruelty, assault and dowry harassment. However, he fairly submits that the first accused was already arrested and released on bail by the concerned Magistrate.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (criminal side) appearing for the respondent police and perused the materials available on record and considering the nature of allegations, the relationship between the parties and the fact that the dispute appears to arise out of matrimonial discord, further more, the accused No.1/ husband of the defacto complainant has been released on bail by the concerned Magistrate, this Court is of the view that custodial interrogation of the petitioners is not necessary at this stage. Further the petitioners have undertaken to co-operate with the investigation and therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on 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 **learned Additional Mahila Court, Thiruvarur,**

on condition that the petitioners shall execute a separate bond for a sum of

Rs.15,000/- (Rupees Fifteen Thousand only) each with **two sureties** each for

a like sum 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 concerned 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 10.30 a.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



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have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.,2023.

27.05.2025

jrs/rpp

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To:

1. The Additional Mahila Court, Thiruvavur.
2. The Inspector of Police
AWPS-Tiruvavur Police Station,
(Integrated Women Police Station),
Tiruvavur District.
Crime No. 17 of 2026
3. The Public Prosecutor,
Madras High Court.



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MOHAMMED SHAFFIQ, J.

JRS/rpp

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