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CRL OP No. 26741 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 26741 of 2025

Sri Omprakash
S/o. Suresh,
residing at
No.2, 9th Street, Siranjeevi Nagar, Kavarapalayam,
Avadi,
Thiruvallur District

..Petitioner(s)

Vs

State Rep by, The Inspector of Police,
All Women Police Station,
Poonamallee,
Thiruvallur District.
(Crime No. 17/2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event
of their arrest in Crime No.17 of 2025 pending investigation on the file the
respondent police and pass such other orders deems fit and proper for the
circumstances of the case .

For Intervener:	Mr.I.Dinesh Kumar
For Petitioner(s):	S.N. Arunkumar
For Respondent(s):	M/S.J.R.Archana Government Advocate (Crl.Side)



ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 85 of BNS, 2023 and section 4 of Dowry Prohibition Act, 1961, in Crime No.17 of 2025, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is the husband of the defacto complainant in this case. It is alleged that he received a sum of Rs.5,00,000/- in cash and other articles at the time of marriage. Thereafter, the petitioner started harassing the defacto complainant demanding more money and also sexually abused her. Unable to bear the same, the complainant lodged a complaint, based on which the present case has been registered.

3. The learned counsel for the petitioner would submit that false allegations have been made against the petitioner and that he has already paid a sum of Rs.5,00,000/- to the de facto complainant during the pendency of the bail petition. He further submitted that the petitioner is ready to cooperate with the investigation. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is pending. Hence, she opposed the grant of anticipatory bail to the petitioner.

5. I have gone through the FIR and the other materials; which revealed that to investigate a case of this nature custodial interrogation of the petitioner is not necessary and the majority of the allegations is that the petitioner has physically harassed the complainant, threatened her with dire consequences, and failed to repay the money.

6. Considering the above facts and circumstances, this Court is inclined to grant bail to the petitioner.

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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate -I, Poonamallee**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned 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 shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, 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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

1. The Judicial Magistrate -I, Poonamallee.
- 2.State Rep by, The Inspector of Police,
All Women Police Station,
Poonamallee,
Thiruvallur District.
(Crime No. 17/2025)
- 3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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