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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.32891 of 2025

Senthilnathan

Petitioner

Vs

1.The State Represented by
The Sub-Inspector of Police
Voimedu Police Station,
Nagapattinam District.
Crime No.155 of 2024.

2.M.Kalai Selvi
(R2/defacto complainant is impleaded as per the
order of this Court dated 16.12.2025
in Crl.MP.No.24246 of 2025 in Crl.OP.No.32891/25) Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.155 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr.V.Ramamurthy



For Respondent(s):

Ms.J.R.Archana
Government Advocate (Crl.side) for R1

M/s.D.Kamatchi for R2

ORDER

The petitioner. who apprehends arrest at the hands of the respondent police for the offences punishable under Section 194(3) of BNSS altered into Section 85, 108 read with Section 3(5) of BNS in Crime No.155 of 2024 on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that the wife of the first petitioner committed suicide on 04.09.2024 by hanging due to dowry harassment. Hence, the case.

3. Earlier, this Court, on considering the merits of the case, dismissed the anticipatory bail filed by the husband on the ground that it is the case of dowry death. This is the successive anticipatory bail petition.

4. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the complaint itself was given by the defacto



complainant and that she had also approached this Court by filing CrI.OP.No.18212 of 2025 seeking a direction to record her statement under Section 183 of BNS, and her statement has also been recorded, wherein she retracted her earlier statement and stated that she had given a false complaint under the influence of one of her relatives. She has now stated that there is no allegation against the petitioner herein. Hence, citing the same as a change in circumstances, he submitted that the offences alleged are motivated, and prays to grant anticipatory bail to the petitioner.

5. This Court also ordered notice to the defacto complainant, and she also appeared before this Court and reiterated the statement made by the learned counsel for the petitioner.

6. The learned Government Advocate (CrI.Side) appearing for the respondent, relying on the report filed by the RDO, submitted that the RDO enquiry was conducted based on the statements recorded from various persons and not only on the statement of the defacto complainant. He further submitted that it is a case of dowry death affecting the community at large and that, if the petitioner is granted anticipatory bail, it would hamper the investigation. Hence, he opposed to grant



anticipatory bail to the petitioner.

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7. On perusal of the RDO report, it reveals various aspects of the harassment suffered by the deceased. It also reveals that this is a case of dowry death and that the petitioner herein played an important role in causing mental agony and harassment to the deceased. Therefore, this Court is not inclined to reconsider the earlier order.

8. Accordingly, this Criminal Original Petition is dismissed.

28-01-2026

drl

To

1.The Sub-Inspector of Police
Voimedu Police Station,
Nagapattinam District.

2.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR, J.,

drl

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