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Crl.O.P.No.34340 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.34340 of 2025

1. Vijayakumar, S/o.Selvam
2. Selvam, S/o.Murugan
3. Kanchana, W/o.Selvam

... Petitioners

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station (AWPS)
Madipakkam Police Station,
Chennai District.
(Crime No.15 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.15 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Thirumoorthy
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioners herein apprehended arrest at the hands of the respondent police for the offences punishable under Sections 85, of BNS, 2023 in Crime No.15 of 2025, on the file of the respondent Police, seek anticipatory bail.



2. The allegation against the petitioners is that the 1st petitioner is the husband of the de-facto complainant, 2nd and 3rd petitioners are her in-laws. They were demanded additional dowry by threatening and attacked her. Since the de-facto complainant is not in a position to satisfy the demand of the petitioners, they have tortured her and drove her out from the matrimonial home. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners were innocent person and they have been falsely implicated in this case. He further submits that this Court had referred the matter for mediation, however, no settlement could be arrived at, as per the mediation report dated 09.02.2026 of the High Court Mediation Centre, noting that the de-facto complainant was not present for all the hearings. He further submitted that the petitioner has also filed a petition for restitution of conjugal rights. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the entire



issue arises out of a family dispute. However, he opposed to grant anticipatory bail to the petitioners.

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5. Considering the totality of the circumstances and taking note of the fact that the occurrence is from April, 2025 and the FIR came to be registered on 05.12.2025, and further the petitioners 2 and 3 are the in-laws of the de-facto complainant, and also considering that the entire dispute revolves around the family dispute, this Court is of the view that, at this length of time, the custodial interrogation of the petitioners is not required. Hence, 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 Additional Mahila Court, Alandur**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 petitioners fail to surrender before the concerned learned Magistrate within a period of fifteen (15)



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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 petitioners shall report before the respondent Police, everyday at 10.30 a.m. for a period of one week;

(d) 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]***;

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

01.04.2026

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To

1. The Additional Mahila Court, Alandur.
2. The Inspector of Police, All Women Police Station (AWPS)
Madipakkam Police Station, Chennai District.
3. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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