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Crl.O.P.No.34795 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.34795 of 2025

1. M.Vicky @ Karthiben S/o.S.Murthy
2. S.Murthy S/o.Shanmugam
3. M.Gnanamalar
4. M.Divakar S/o.Murthy

... Petitioners / A1 to A4

Vs

The State Rep. By,
The Inspector of Police,
W-30, All Women Police Station,
Poonamallee.
(Crime No.32 of 2025)

... Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioners herein on anticipatory bail in the event of their arrest by the respondent in Crime No.32 of 2025 on the file of the respondent police.

For Petitioners : Mr.Ganesh Babu

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Section of 498 (A) of IPC, in Crime No.32 of 2025 on the file of the respondent Police, seek anticipatory bail.



2. The case of the prosecution is that, the petitioners are ranked as A1 to A4 in this case. The first petitioner/A1 is the husband of the complainant and other petitioners are his relatives. They informed that the first petitioner is a divorcee and conducted a marriage with the *defacto* complainant and provided 25 sovereigns of gold jewels as dowry and started their life. Subsequently, the complainant was forced to pledge her jewels to buy a car for the first petitioner and was continuously tortured, unable to bear the same, the complainant attempted to commit suicide and subsequently, she had lodged the complaint and later came to know about the first petitioner's first marriage status which was subsisting. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are falsely implicated in this case. The petitioners are innocent and did not commit any offence as alleged and there is only a matrimonial dispute for which, a divorce case is already pending before the Family Court. He would further submit that there is no allegation as against the accused 2 to 4 ie., petitioners 2 to 4 and no other case is pending against them and that the petitioners are ready to abide by any conditions that may be imposed by this Court and to co-operate for the investigation, hence sought for anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioners reiterated the prosecution case and submitted that the investigation of this case is pending and there is no previous case as against the petitioners and the petitioners suppressed the details of the first marriage and the first petitioner married the complainant herein and availed various properties as dowry and bought a car and subsequently, involved in extra marital affair and hence, the complaint is lodged.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that considerable materials were received as dowry by the first petitioner/A1, and taking note of the fact that the investigation of the case is pending, this Court is not inclined to grant anticipatory bail to the first petitioner/A1 is concerned and as far as the other petitioners viz., petitioners 2 to 4, since the case is due to a matrimonial dispute, there is no specific allegations as against these petitioners are concerned, the custodial interrogation of the petitioners 2 to 4 is not necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 with certain conditions.

6. Accordingly, this criminal original petition stands ***dismissed as against the first petitioner*** and as far as the petitioners 2 to 4 are concerned, the ***petitioners 2 to 4 ordered to be released on bail*** in the event of arrest or on their



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appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Poonamallee**, on condition that the petitioners 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 that:

[a] **if the petitioners 2 to 4 fail to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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 the identity proofs to ensure their identity;

[c] **the petitioners 2 to 4 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] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in **P.K.Shaji vs. State of Kerala** [(2005)13 SCC 283];

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[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

08.01.2026

ssa

To

1. The Judicial Magistrate-I, Poonamallee.
2. The Inspector of Police,
W-30, All Women Police Station,
Poonamallee.
(Crime No.32 of 2025)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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