



CRL OP(MD). No. 1328 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Muthuganesh
2.Arumugasamy
3.Malathi
4.Muthukumaran

...Petitioners/Accused

Vs

1. State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station
Sivakasi
Virudhunagar
(Crime No. 3 of 2026)

2.P.Porkodi

*(R2 is suo motu impleaded vide order dated
23.01.2026 in Crl.O.P.(MD) No.1328 of 2026.)*

...Respondent/Complainant



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For Petitioners : Mr.P.Pratheesh
Advocate.
For R1 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)
For R2 : Mr.P.Dharmaraj

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 3 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The first petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 85, 296(b) of BNS, 2023 and Section 4 of the Dowry Prohibition Act, 1961, in Crime No. 3 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are the husband and wife. The petitioners, from the time of marriage, demanded additional dowry from the defacto complainant and her parents and in this regard, on 14.01.2026, the defacto complainant has lodged a complaint, based on which a case has been registered against them. Hence, the case.



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3. The learned counsel for the petitioners would submit that the first petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He would further submit that the petitioners 2 to 4 were already granted anticipatory bail by this Court and the first petitioner was also granted interim anticipatory bail by this Court. Hence, he prayed to grant anticipatory bail to the first petitioner.

4. The learned Government Advocate (Crl. Side) would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 85, 296(b) of BNS, 2023 and Section 4 of the Dowry Prohibition Act, 1961, in Crime No. 3 of 2026 and the petitioners, from the time of marriage, demanded more dowry. He further submits that the first petitioner has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for the intervenor reiterated the arguments



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of the learned Government Advocate (Crl. Side) and strongly opposed to grant anticipatory bail to the first petitioner.

6. Heard both sides and perused the materials available on record.

7. Considering the rival submissions made on either side and the nature of offences charged against the first petitioner, and the relationship between the parties and also considering the fact that there is a matrimonial dispute between the parties and the petitioners 2 to 4 were already granted anticipatory bail by this Court and the first petitioner was also granted interim anticipatory bail by this Court and also no previous case is pending against the first petitioner, I am inclined to grant anticipatory bail to the first petitioner, subject to the following conditions:

[a] Accordingly, the first petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the



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learned Judicial Magistrate-I, Sivakasi, and on further conditions that:

[b] the first petitioner shall report before the respondent police, on every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the first petitioner shall not commit any offences of similar nature.

[d] the first petitioner shall not abscond either during investigation or trial.

[e] the first petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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].



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[g] If the accused thereafter absconds, a fresh FIR can

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apd

(P D B J)
15.04.2026
(2/2)

To

- 1.The Judicial Magistrate-I, Sivakasi.
- 2.The Inspector of Police,
All Women Police Station
Sivakasi
Virudhunagar
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 1328 of 2026

Date : 15.04.2026
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