



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

The HONOURABLE JUSTICE MR. K.K.RAMAKRISHNAN

Crl OP(MD).No.2867 of 2026

C.M.Mithun

... Petitioner/Accused No.1

Vs

1.The State of Tamilnadu Rep.,By,
The Inspector of Police,
All Women Police Station,
Virudhunagar.
Crime No.4 of 2026

... Respondent/Complainant

2.P.Ragasudha

... Respondent/Defacto
Complainant

(R2 is suo motu impleaded as per order of this Court dated
12.02.2026 in Crl.OP(MD)No.2867 of SSYJ)

For Petitioner : Mr.N.Karthikkanna

For Respondent : Mr.M.Karunanithi,
Government Advocate (Crl.Side)



PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Section 498(A), 294(b) & 506(1) of IPC and Section 4 of Dowry Prohibition Act, in Crime No.4 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. According to the prosecution, the first petitioner and the complainant are the husband and wife. After marriage, the petitioner and his family members are said to have caused the harassment to the complainant psychically and mentally. Hence, the complainant lodged a complaint before the respondent police by narrating a number of incidents. Hence, the respondent police registered a case against the accused for the aforesaid offences. Hence, this petition.



WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that earlier A2 to A5 were already released on anticipatory bail by this Court dated 12.02.2026 on the ground that they are in-laws of the complainant. In respect of this petitioner is concerned, this Court granted interim protection by directing him to appear before the respondent police and also the District Social Welfare Officer and adjourned the matter to 12.03.2026. He further submitted that the petitioner and the complainant are the doctors. After the birth of the child, the complainant insisted him to shift his practice to the Virudhunagar. Since the petitioner is working at Chengalpattu, he refused the same. Hence, there was a dispute arose between them. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) on instructions submitted that the petitioner failed to appear before the respondent police and the District Social Welfare Officer as per the direction of this Court dated 12.02.2026. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



WEB COPY

5. The learned counsel for the petitioner by way of reply submitted that after receipt of summon from the police officer in Crime No.4 of 2026, he appeared before the respondent police for a period of 2 days, and the respondent police held him in the police station whole day.

6. Considering the facts and circumstances of the case and going through the averment in the FIR and also considering the fact both are doctors and age of the child is 3 years, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Virudhunagar, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.2, Virudhunagar, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



WEB COPY

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent Police at 10.30 a.m., for a period of four consecutive Sunday after furnishing surety and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



WEB COPY

himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560] and;

(f) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

8. The Inspector of Police is strictly directed to conduct enquiry as per law without harassing the petitioner.

12.03.2026

dss

To

- 1.The Judicial Magistrate No.2,
Virudhunagar.
- 2.The Inspector of Police,
All Women Police Station,
Virudhunagar.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



K.K.RAMAKRISHNAN,J.,

dss

**ORDER
IN
CRL OP(MD) No.2867 of 2026**

Date : 12.03.2026