



CRL OP(MD). No.22901 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1. Vivek,
2. Swathandra Devi ... Petitioners/ Accused No.1&3

Vs

The State of Tamil Nadu Rep By,
The Sub Inspector of Police,
All Women Police Station,
Rajapalayam, Virudhunagar District.
Cr.No.53 of 2025. ... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Cr.No.53 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Jothi Basu
Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

For Intervener : Mr.M.Jegan

ORDER : The Court made the following order :-



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The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 498(A), 294(b), 406 and 506(i) of IPC, in Crime No.53 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband and the second petitioner is the mother-in-law of the complainant. At the time of marriage, the defacto complainant was given 111 sovereigns of gold jewels, household articles worth about Rs.3 lakhs and 5 kg of silver articles as dowry. Further, after betrothal, A2 & A3 received a sum of Rs.10 lakhs from the parents of the defacto complainant. The accused are said to have inflicted cruelty upon the defacto complainant demanding more dowry. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and



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they are no way connected in the above said incident. He would further submit that it is a matrimonial dispute between the first petitioner and the complainant and part of the sridhana articles was returned to the the complainant and no previous cases is pending against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that it is a matrimonial dispute between the first petitioner and the complainant and both are doctors. The accused persons harassed the complainant by demanding additional dowry. Hence, he opposes to grant anticipatory bail to the petitioners. However, he fairly conceded that the part of the sridhana articles have been returned to the complainant and no previous case is pending against the petitioners.

5. The learned counsel for the Intervener would submit that the first petitioner is a homosexual. The complainant came to know about this fact during their honeymoon trip to Coorg. Suppressing the same, he married her. Even, at the time of marriage, 111 sovereigns of gold jewels, household articles worth about Rs.3 lakhs, 5 kg of silver articles as



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dowry and cash amount of Rs.10 lakhs was given as dowry, the accused persons committed the offence of cruelty upon the complainant by demanding additional dowry. Hence, he opposed to grant anticipatory bail to the petitioner.

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

7. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and the part of the sridhana articles have been returned to the complainant and no previous case is pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are 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 Additional Mahila Judicial Magistrate Court, Srivilliputtur, Virudhunagar District, and on further conditions that:

[b] the petitioners shall report before the respondent police, every Saturday at 10.30 a.m. for a



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period of four weeks, and thereafter as and when required for the interrogation.

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

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

(P D B J)
07.04.2026
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dss



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P. DHANABAL,J

DSS

To

- 1.The Additional Mahila Judicial Magistrate Court,
Srivilliputtur, Virudhunagar District.
- 2.The Sub Inspector of Police,
All Women Police Station,
Rajapalayam, Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date : 07/04/2026