

(2026) 03 MAD CK 0978

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 15309 Of 2025

Kalaiselvan And Others

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 24-03-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 85, 269

Citation : (2026) 03 MAD CK 0978

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : S.Sathyachidambaram, S.S.Manoj, T.Lenin Kumar

Judgement

S.Srimathy, J

1. This Court has already granted anticipatory bail to the petitioners 2 to 6 and this petition is considered today as far as the 1st petitioner alone.
2. The 1st petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 85 of BNS, 2023, in Crime No.05 of 2025, on the file of the respondent police, seeks anticipatory bail.
3. The case of the prosecution is that the defacto complainant is the wife of the first petitioner. The defacto complainant and the first petitioner got love marriage on 27.10.2023 and they were living together at Ayothiyapuram in Coimbatore District. Out of their wedlock, a female child was born. While being so, at the instigation of the other accused, the first petitioner demanded more dowry from the defacto complainant. Hence, a case was registered.
4. The learned counsel appearing for the petitioners submitted that the 1st petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He, however, submitted that the 1st petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (Crl. side) submitted that at the instigation of other accused, the first petitioner demanded more dowry from the defacto complainant. However, he opposed to grant anticipatory bail to the 1st petitioner.

6. Taking into consideration of the facts and circumstances of the case and since the 1st petitioner has complied with the conditions imposed in the interim anticipatory bail regularly, the interim anticipatory bail already granted is made absolute and this Court is inclined to grant anticipatory bail to the 1st petitioner with certain conditions.

7. Accordingly, the 1st petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the 1st petitioner shall 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 learned Additional Mahila Court (Magistrate Level), Dindigul, Dindigul District, and on further conditions that:

(a) the 1st 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 1st petitioner shall furnish their residential address and mobile number to the learned Additional Mahila Court (Magistrate Level), Dindigul, Dindigul District. In the event of any change in their residential address, the 1st petitioner shall report the same to the learned Additional Mahila Court (Magistrate Level), Dindigul, Dindigul District;

(c) the 1st petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the 1st petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the 1st petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the 1st petitioner in accordance with law as if the conditions have been imposed and the 1st 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] and;

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