

In the Court of Principal Sessions Judge, Kanniyakumari District
at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Principal Sessions Judge.

Thursday, the 5th day of March, 2026.

CrI.M.P. No. 747/2026
(CNR.No.TNKK01-001155-2026)

V. Jeya Raj @ Jeyaraj Vargees (A1)

S/o. P. Varghese

... Petitioner

/Vs./

State of Tamil Nadu,

Through the Inspector of Police,

All Women Police Station, Marthandam,

Crime No. 16/2026 of AWPS, Marthandam,

Rep. by Public Prosecutor,

Nagercoil.

... Respondent

This petition is filed by Advocate Thiru R. Jawahar Lal, u/s 482
of BNSS, praying to grant anticipatory bail to the petitioner.

ORDER

Heard both side. Perused the petition.

2. The petitioner/accused is alleged to have committed the
offences u/s 85, 316(2), 351(1) of BNS and Sec. 3, 4 and 6 of Dowry
Prohibition Act.

3. The case of the prosecution is that the marriage between the defacto complainant and the 1st accused was solemnized on 01.02.2025, the defacto complainant was subjected to persistent physical and mental cruelty by her husband and his family who are A1 to A5 regarding dowry and despite providing 39 sovereigns of gold and Rs.5 lakhs in cash and Rs 1.5 lakhs worth of household articles, at the time of marriage and subsequent to the marriage, the accused misappropriated these assets and demanded additional dowry and specifically compelling the defacto complainant to transfer ownership of her paternal home to 1st accused. Hence the charge.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and at the time of marriage, the accused persons never demanded any dowry and the defacto complainant lived with the petitioner only for two months i.e from 02.01.2025 to 05.03.2025 and she suffered from chronic mental and physical ailments and underwent medical treatment before marriage and she was not interested in matrimonial and sexual life and slept separately and she caused mental agony to the petitioner and the petitioner has filed a petition for divorce before the Family Court, Padmanabhapuram and the present complaint is a malicious attempt to force the petitioner to withdraw the divorce case and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

5. The learned Public Prosecutor opposed the application and submitted that totally there are 5 accused in this case. The petitioner is the husband of the defacto complainant and the 2nd accused is the mother in law, 3rd and 4th accused are the sister in law and the 5th accused is the brother in law of the defacto complainant and the marriage between the petitioner and the defacto complainant was solemnized on 02.01.2025. This petitioner and other accused demanded more dowry from the defacto complainant and also compelled the defacto complainant to transfer the ownership of the house to this petitioner. Moreover, the petitioner and other accused said to the defacto complainant that if the ownership of the property is not transferred to him, she shall not sleep with the petitioner. All the jewels of the defacto complainant are with this petitioner and moreover, they threatened the defacto complainant and he has serious objection to grant anticipatory bail to the petitioner and it is a matrimonial dispute and the matter may be referred to mediation.

6. Considering the nature of the offences alleged to have been committed by the petitioner/accused and also considering the fact that it is a matrimonial dispute between the 1st accused and the defacto complainant, this court is inclined to grant interim anticipatory bail to the petitioner/A1 till 06.04.2026 with conditions.

7. In the result in the event of arrest or on his appearing

before the court concerned the petitioner is ordered to be enlarged on interim anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate No.I, Kuzhithurai subject to the following conditions :-

- i). The petitioner shall appear before the court concerned on or before 16.03.2026.
- ii). After release, the petitioner shall appear and sign before the respondent police daily at 10.00 A.M. until further orders.
- iii). The petitioner shall also make himself available before the respondent as and when required.
- iv). The petitioner shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
- v). The petitioner shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

This petitioner/A1 and the defacto complainant are directed to appear before the Mediation Centre, Nagercoil on 18.03.2026 at 11.30 A.M.

and other subsequent dates to be fixed by the Mediators for mediation.

Call on 06.04.2026.

Pronounced by me in open court this the 5th day of March, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To

The Judicial Magistrate No.I, Kuzhithurai. (through e-mode)

The Mediation Centre, Nagercoil. (through e-mode)

The Inspector of Police, All Women Police Station, Marthandam.

(through court cell e-mode)

The counsel for the petitioner.