

TNMD010018032026



In the Court of the Principal Sessions Judge, Madurai.

Present : Thiru. S. SIVAKADATCHAM, B.Sc., M.L.,

Principal Sessions Judge, Madurai.

Friday, this the 10<sup>th</sup> day of April, 2026.

CrI.M.P.No.1110/2026

CNR No.TNMD010018032026

1. K.Chanakyan, S/o.Krishnamoorthy

2. P.Krishnamoorthy, S/o.Perumal

3. K.Vasanth, W/o.Krishnamoorthy

... Petitioners/Accused.

Vs

N.Narmatha , D/o.Nirmalkumar

...Intervene Petitioner.

State through the Inspector of Police,

Thilagar Thidal AWP.S. in Cr.No.07/2026

... Respondent/Complainant.

This e-petition coming on today for hearing before me in the presence of Thiru.P.Prabhu, Advocate for the petitioners, Thiru.K.Hema Senthilkumar, Advocate for the intervene petitioner, and of Public Prosecutor for the State, this court passed the following:

**Order**

1. Anticipatory bail application u/s 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

2. The defacto-complainant/intervening petitioner filed intervening petition and he is permitted to assist the Public Prosecutor.

3. Heard both.

4. The learned counsel for the petitioners/A1 to A3 would submit that the respondent police registered a case against the petitioners in Cr.No.7/2026 for the offences u/s. 85, 318(4) of BNS and Sec. 40 of DP Act. The petitioners are innocent and they have not committed any offences as alleged. The 1<sup>st</sup> petitioner and the defacto-complainant are husband and wife. The petitioners 2 and 3 are in-laws of the defacto-complainant. The petitioners never demanded dowry from the defacto-complainant. The defacto-complainant voluntarily left the matrimonial

home along with child. The 1<sup>st</sup> petitioner filed HMOP.No.1173/2025 before the Family Court, Madurai seeking divorce. The defacto-complainant filed MC.No.60/2025 before the Family Court, Sivagangai seeking maintenance amount. While the said maintenance proceedings are pending, the defacto-complainant lodged the present false complaint against the petitioners. Now, the 1<sup>st</sup> petitioner and the defacto-complainant are living jointly. Custodial interrogation of the petitioners is not necessary. Investigation is almost completed. The petitioners have not filed similar petition before the Hon'ble Madurai Bench of Madras High Court or any other court. The petitioners apprehend arrest at the hands of police and they are ready to abide by any conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioners.

5. The learned Public Prosecutor and the learned counsel for the intervening petitioner submitted that totally there are 3 accused persons in this case, who are the petitioners herein. As per the case of the prosecution, A1 is the husband of the defacto-complainant. A2 and A3 are parents of A1. The marriage between the defacto-complainant and A1 has taken place on 03.02.2023. The defacto-complainant and A1 were working in Axis Bank. Before marriage, at request of A1, the defacto-complainant obtained personal loan Rs.2,35,000/- from Axis Bank and given the amount to A1. At the time of their marriage, 42 sovereign of jewels and Sridhana articles were presented to the couple by the parents of the defacto-complainant. Due to wedlock, they have one male child. After marriage, all were living under one roof as joint family. Thereafter, all the accused persons demanded additional dowry 10 sovereign from the defacto-complainant and driven her out from the matrimonial home. At that time, the defacto-complainant locked her bureau and kept the key with her. Thereafter, she came to know that A1 and A3 had broke open the bureau, taken the jewels of the defacto-complainant, and pledged the same in the District Co-operative Bank, Arappalayam Branch, Madurai. By utilizing the aforesaid said amount, the accused persons constructed a house at Pallapatti village. The accused persons refused to return cash Rs.2,35,000/- and 32

sovereign jewels belongs to the defacto-complainant. Hence, the case. The matter was referred to mediation and was returned stating that not settled. Investigation is pending and they strongly objected to grant anticipatory bail to the petitioners.

6. The learned counsel for the intervening petitioner submitted that the accused persons driven out the defacto-complainant from matrimonial home, now, she is living with her parents at Sivagangai. A1 filed divorce case before the Family Court, Madurai in HMOP.No.1173/2025. The defacto-complainant filed transfer OP before the Hon'ble High Court, to transfer the above said HMOP to the Family Court, Sivagangai and the same was allowed. After transfer of the case, A1 not pressed the HMOP case. A1 and A3 pledged the jewels of the defacto-complainant in bank and refused to return the jewels and cash Rs.2,35,000/-. Due to misbehavior of A1 at working place of the defacto-complainant, she left her job. Hence, prayed to dismiss the petition. He filed copy of receipts for pledging the jewels in bank, in the name of A1 and A3.

7. Rival contentions are taken into consideration. The alleged offences against the petitioners are U/s. 85, 318(4) of BNS and Sec. 40 of DP Act. It is a case of matrimonial dispute. It is alleged that the petitioners have subjected the defacto-complainant to cruelty demanding additional dowry upto 10 sovereign jewels. The learned counsel for the petitioners submitted that the petitioners never demanded dowry from the defacto-complainant, now, the defacto-complainant and 1<sup>st</sup> petitioner are living jointly and prayed to allow the petition. The learned Public Prosecutor as well as the learned counsel for the intervening petitioner submitted that all the accused persons harassed the defacto-complainant demanding additional dowry and driven her out from the matrimonial home, now she is living at Sivagangai with her parents. Further, it is contended on the side of prosecution that when the defacto-complainant went to her maternal home, without her knowledge, A1 and A3 broke open the bureau and pledged her jewels. To prove the same, the learned counsel for the intervening petitioner filed copy of bank receipts. The matter was referred to mediation and was returned stating that not settled. As per

prosecution, A1 and A3 refused to return cash and 32 jewels of the defacto-complainant. Considering the overt act attributed against the petitioners 1 and 3, strong objections raised on the side of prosecution and the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioners 1 and 3 at this stage. Whereas, considering the limited overt act attributed against the 2<sup>nd</sup> petitioner and the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the 2<sup>nd</sup> petitioner alone on conditions.

In the result in the event of arrest or on his surrendering before the Court concerned **the 2<sup>nd</sup> petitioner** is ordered to be released on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.V, Madurai subject to the following conditions:-

(i) The 2<sup>nd</sup> petitioner shall surrender before the Court concerned within 15 days from today without fail.

(ii) After release the 2<sup>nd</sup> petitioner shall appear and sign before the Inspector of police, respondent police station **daily at 10.00 a.m. for a period of 30 days.**

(iii) The 2<sup>nd</sup> petitioner shall co-operate with the investigation and he shall not threaten the witnesses. He shall not induce witnesses and he shall not cause hindrance to the pending investigation.

If there is any violation of condition, the Investigation officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail as per the ruling of the Hon'ble Supreme Court reported in **Shaji/Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

**So far as the petitioners 1 and 3 are concerned, the anticipatory bail petition is dismissed.**

Pronounced by me in the Open Court on the 10<sup>th</sup> day of April, 2026.

Principal Sessions Judge,  
Madurai

**Copy to**

1. The J.M.No.5. Madurai.
2. The Inspector of Police, Thilagar Thidal AWP.S.
3. The Petitioners through their counsels.