

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, TIRUCHIRAPPALLI

**Present: Thiru. M. Christopher, B.A., B.L.,
Principal District and Sessions Judge,
Tiruchirappalli**

Monday, the 8th day of June 2026
Crl. M.P. Nos. 1413 / 2026 and 1450/2026

1. Ameen Basha, aged 32/26, S/o. Mapubbasha
2. Mabu Basha(A2), aged 66/26, S/o. Anser ...Petitioners in Crl.M.P. No. 1413/2026

Vs.

Inspector of Police,
Cantonment A.W. P.S., Trichy Cr.No. 3/2026 ...Respondent

M.N. Fathima Bi, aged 28/26, D/o Mohamed Noordheen,
...Petitioner/intervener in Crl.M.P. No.1450/2026

This petition coming before me for hearing, on this day, in the presence of Thiru. P. Savarimuthu, Public Prosecutor for the State and of advocate Thiru. Saravanakumar, for the petitioners in Cr.M.P. No. 1413/2026 and of advocate Thiru. V. Muthukumar, for the petitioner/intervener in Crl.M.P. No. 1450/2026 and after hearing both sides and considering these necessary materials, this court today passed the following:-

COMMON ORDER

It is an application for anticipatory bail filed u/s. 482 of Bharatiya Nagarik Suraksha Sanhita, 2023.

FIR was registered against the petitioner and other accused for the offences u/s. 498(A), 294(b) and 506(i) of I.P.C. The occurrence happened on 29.01.2023.

According to the learned counsel for the petitioners, the petitioners are innocents and they have not committed any such offence and they have been falsely implicated in this offence and hence prays to grant anticipatory bail to the petitioners.

On the other hand, the learned Public Prosecutor contended that it is a case of matrimonial dispute and the petitioners are father and son and the 1st petitioner is husband of the defacto complainant and the matter has been referred to mediation and it is not settled before mediation and no previous case is pending against the petitioners and the investigation is pending and objected to grant anticipatory bail to the petitioners.

The defacto complainant filed an intervening petition through her counsel and submitted that the 1st accused is her husband and the 2nd accused is her father-in-law and they have continuously harassed and tortured with their family members and during her pregnancy, she was harassed severely and the 1st accused is an influential person, having manpower and the respondent police repeatedly called the accused for enquiry but they refused to co-operate with the investigation and so many cases are pending between the defacto complainant and the accused and whenever, the intervenor came to court, the accused 1 and 2 abused her with derogatory filthy words and threatened and if the anticipatory bail is granted, they would abscond and the custodial interrogation of the accused is necessary for fair and effective investigation and prays to dismiss the anticipatory bail to the petitioners.

Heard both sides. Records perused. On perusal of records, it is alleged that the 1st accused is the husband of the defacto complainant. After the marriage, the 1st accused and his family members harassed the defacto complainant demanding dowry and they drove away from the matrimonial home while she was pregnant and after delivery, the accused and their family members came to the house of the defacto complainant and they sarcastically remarked about the colour of the baby and after that, they demanded dowry and the 1st accused has illegal conducts with other ladies and the same was admitted by his father and they scolded her in filthy language at the time of appearance in the court proceedings and the 1st accused and other accused possessed the jewels of the defacto complainant and attacked her for demanding more money and jewels.

With respect to the 1st petitioner/1st accused herein, considering the overt act against the petitioner and also, the petitioner being the husband was not in support of the defacto complainant in the matrimonial house and considering the facts of the case and the investigation is pending, this court is not inclined to grant anticipatory bail to the 1st petitioner/1st accused at this stage.

In continuation, considering the facts and circumstance of the case and age and relationship of the 2nd petitioner/2nd accused and considering the above stated aspects, this court is inclined to grant anticipatory bail to the **2nd petitioner/2nd accused alone** with the following conditions :

1. The 2nd petitioner/2nd accused shall in the event of arrest by the respondent police or on his surrender before the Judicial Magistrate, Additional Mahila Court, Tiruchirappalli on or before 22.06.2026 be released on bail on his executing a bond for a sum of Rs.25,000/- with two 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 Judicial Magistrate, Additional Mahila Court, Tiruchirappalli.
2. The 2nd petitioner/2nd accused shall appear and sign before the respondent police station daily at 10.00 A.M., for a period of 30 days.
3. The 2nd petitioner/2nd accused shall make himself available for interrogation by the police officer as and when required.
4. The 2nd petitioner/2nd accused shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
5. The 2nd petitioner/2nd accused shall not tamper with evidence or witness either during investigation or trial.
6. The 2nd petitioner/2nd accused shall not abscond either during investigation or trial.
7. The Magistrate/Trial court on breach of any of the aforesaid conditions, is entitled to take appropriate action against the 2nd petitioner/2nd accused in accordance with law as if the conditions have been imposed and the 2nd petitioner/2nd accused was released on bail by the Magistrate/Trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala {(2005) AIR SCW 5560}.
8. If the 2nd petitioner/2nd accused thereafter abscond, a fresh FIR can be registered u/s.269 of BNS, 2023.

In the result, the application for bail is dismissed against the 1st petitioner/1st accused.

The Intervening petition in Crl.M.P. No. 1450/2026 is allowed.

Pronounced by me, in the open court, on this the 8th day of June 2026.

Principal District and Sessions Judge,
Tiruchirappalli.

Copy to:

1. The Petitioner through petitioner's counsel.
2. The Judicial Magistrate, Additional Mahila Court, Tiruchirappalli.
3. The Inspector of Police, Cantonment P.S., Tiruchirappalli.