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CRL OP No. 19381 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19381 of 2026

V.Mahalakshmi

..Petitioner(s)

Vs

The State of T.N.(Reps by the Inspector of Police),
Varanjaram Police Station,
Kallakurichi District.
Crime No.56 of 2026.

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 482 of BNSS, praying to enlarge me on bail in the event of the petitioner arrest in Crime No.56 of 2026 on the file of respondent police and pass such further or other orders as this Honble Court may deem fit and Proper in the circumstances of the case and thus render Justice.

For Petitioner(s):

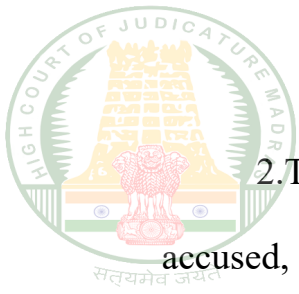
M/S. D.Babu Varadharajan

For Respondent(s):

MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 103(1) of BNS alter into under Section 103(1), 118(1), 296(b) of BNS, in Crime No.56 of 2026, on the file of the respondent Police, seeks anticipatory bail.



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2. The prosecution case is that the petitioner, who is the wife of the first accused, had a long-standing dispute with the deceased, Karuppaiah, regarding a common pathway. The deceased had allegedly blocked the pathway by placing thorny bushes, which were subsequently set on fire by the petitioner's husband. On 01.03.2026, at about 7.00 a.m., when the deceased questioned the act, the petitioner is alleged to have instigated her husband (A1), who then attacked the deceased with an iron rod, causing fatal head injuries that resulted in his death. Based on these allegations, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that there are two accused in the case and that A1 is the husband of the petitioner. It was further submitted that A1 and the deceased are own brothers and that there has been a pathway dispute between them for quite some time. On the date of occurrence, a wordy quarrel took place. According to the averments in the FIR, only A1 assaulted the deceased with an iron rod. The only allegation against the petitioner is that she exhorted A1. Beyond this, there are no specific allegations against the petitioner. Hence, the learned counsel prayed to grant anticipatory bail to the petitioner.

4. At this juncture, the learned Government Advocate (Crl.Side), appearing for the respondent police though opposing the application, fairly



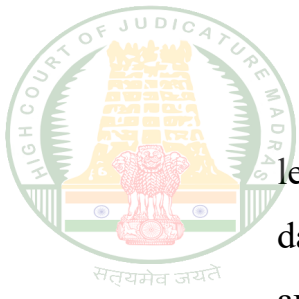
submitted that the co-accused (A1) had already granted bail by this Court in Crl OP No.14730 of 2026 dated 11.06.2026, and that there are no criminal antecedents against the petitioner.

5.This Court has considered the submissions made by either side learned Counsel and perused the materials placed before this Court.

6.Considering the fact that, even according to the prosecution case, the petitioner is alleged only to have exhorted her husband (A1), and that A1 has already been granted bail by this Court, this Court is of the firm view that the custodial interrogation of the petitioner is not required. Further, as the petitioner is a woman, this Court is inclined to enlarge her on anticipatory bail, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Kallakurichi, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fail to surrender before the concerned



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learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

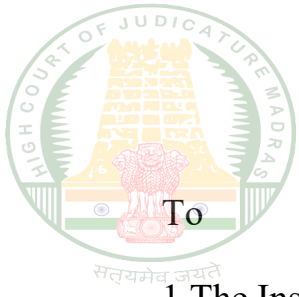
(c) The petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

GBI

21-07-2026



To

1. The Inspector of Police,
Varanjaram Police Station,
Kallakurichi District.

2. The Judicial Magistrate, No.I, Kallakurichi.

3. The Public Prosecutor,
High Court of Madras.



WEB COPY

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C.KUMARAPPAN, J.

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