



WEB COPY

Crl.O.P.No.3305 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3305 of 2025

E. Elakkiya

Petitioner(s)

Vs

The State of TamilNadu Rep by its, The
Inspector of Police,
Thittakudi Police, Cuddalore District. (Crime
No.27/2025)

Respondent(s)

For Petitioner(s): Jothikumar

For Respondent(s): Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 133, 132 and 351(3) of BNS in Crime No.27 of 2025, on the file of the respondent police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution as per the defacto complainant is that, the petitioner and other accused person picked up a wordy quarrel with the defacto complainant, due to which, they abused and assaulted the defacto complainant using wooden log, bricks and footwear; that they further threatened the defacto complainant with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that the petitioner had lodged a complaint against the defacto complainant before the respondent police and the same has been registered in Crime No.26 of 2025; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the



petitioner, stating that the petitioner and other accused abused and assaulted the defacto complainant; that there is a case in counter registered against the defacto complainant in Crime No.26 of 2025, based on the complaint lodged by the petitioner herein; that the injured has been discharged; that the petitioner has no previous cases; and that the investigation is pending.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the injured has been discharged, the fact that the petitioner herein is a lady, she has no previous cases, that a counter case is also registered, and since, custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



WEB COPY

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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court, Thittakudi** on condition that the petitioner shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 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 petitioner shall report before the respondent police on every Monday at 10:30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



WEB COPY

Crl.O.P.No.3305 of 2025



[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.02.2025

stn

To

1. The State of Tamil Nadu Rep by its,
The Inspector of Police,
Thittakudi Police,
Cuddalore District.
(Crime No.27/2025)



WEB COPY



Crl.O.P.No.3305 of 2025

SUNDER MOHAN, J.

stn

Crl.O.P. No.3305 of 2025

10.02.2025