



Crl.OP.No.3154 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.3154 of 2025

Nishanthi

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
Ramanatham Police Station,
Cuddalore District
(Crime No.26 / 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail on event of arrest in Crime No.26 of 2025 on the file of the respondent police.

For petitioner : Mr.M.Kalaiyaran

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(1) & 351(2) of BNS Act, in Crime No.26 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that, on 23.01.2025, there was a wordy quarrel between the petitioner and the defacto complainant; and that the petitioner attacked and threatened the defacto complainant, and caused injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner also lodged a complaint against the defacto complainant and the same was also registered in Crime No.25 of 2025 and in order to counter that, the present complaint has been lodged by the defacto complainant and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation.

4. The learned Government Advocate (Crl.Side) for the respondent confirms that on the complaint given by the petitioned, a case in Crime No.25 of 2025 has been registered and the case is investigated as case and counter by the respondent and that the defacto complainant sustained minor injuries. However, he opposed for grant of anticipatory bail.



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

6. Considering that it is a case of case and counter; and that the injured has been discharged from the hospital and the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 **Judicial Magistrate, Thittakudi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



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[a] the petitioner and the 7sureties 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, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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*** reported in [(2005)AIR SCW 5560];

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

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To

1. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District
2. The Judicial Magistrate,
Thittakudi.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

dpa

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