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CRL OP No. 6701 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6701 of 2025

Makeswari
Wife of Chinnathangam,
No. 2/20A, Vatarampalaiyathan Kadu,
Koranampatti Village, Edappadi,
Salem District -637 102.

Petitioner(s)

Vs

The State Rep.By,
The Inspector Of Police,
Konganapuram Police Station,
Salem District. (Crime No. 49 of 2025)

Respondent(s)

CRL OP No. 6701 of 2025

PRAYER

To grant ANTICIPATORY BAIL to the petitioner in the event of arrest in connection with Crime No. 49 of 2025 pending investigation on the file of respondent police.

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For Petitioner(s): Mr. R. Jayaprakash

For Respondent(s): Mr. S. Santhosh, Govt., Advocate



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 127(2) & 109 BNS Act, 2023 (342 & 307 of IPC) in Crime No.49 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on account of previous enmity, the petitioner / A3 along with other accused / A1 and A2 abused the defacto complainant in filthy language and attacked the defacto complainant and thus, committed the aforesaid offence.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. She further submitted that A1 & A2 have already been granted bail by this Court in Crl. O.P. No. 6394 of 2025 dated 07.03.2025 and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that injured has been discharged from the hospital. He further submitted that the petitioner has no bad antecedents.

5. Considering the nature of the allegations, the fact that the injured has been discharged from the hospital, the fact that the petitioner has no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 at Edappadi**, on condition that the petitioner shall execute 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:

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[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 as and when required for interrogation.

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

[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.

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To

1. The State Rep. By,
The Inspector Of Police,
Konganapuram Police Station, Salem
District. (Crime No. 49 of 2025)



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SUNDER MOHAN, J.

AT

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