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CrI.O.P.No.7480 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.7480 of 2025

Jayanthi

... Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Thimmampettai Police Station
Thirupathur District.
(Crime No.261 of 2024)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on bail in Crime No.261 of 2024 pending investigation on the file of the respondent police.

For Petitioner : M/s.Thulasi.R

For Respondent : Mr.S.Santhosh
Government Advocate (CrI. Side)

ORDER

Though the earlier anticipatory bail petition of the petitioner was



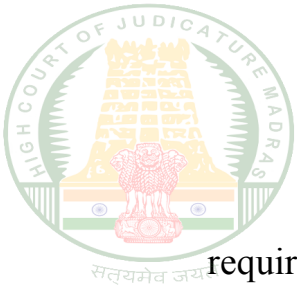
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dismissed on 04.12.2024 and again dismissed as withdrawn on 07.02.2025 by my learned predecessor, Hon'ble Justice A.D.Jagadish Chandira, this petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P.No.31787 of 2024 on 04.03.2025.

2. The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS 2023 in Crime No.261 of 2024, seeks anticipatory bail.

3. The case of the prosecution is that, due to previous enmity, petitioner abused the defacto complainant in filthy language and attacked the defacto complainant with reaper, due to which, he sustained grievous injuries, admitted in the hospital and discharged after seven days.

4. The learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, custodial interrogation is not



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required and sought for anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that after the dismissal of the earlier anticipatory bail petition the respondent had completed the investigation and likely to file the final report and further submitted that the petitioner has no bad antecedents.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7. Though this Court had earlier dismissed the first anticipatory bail petition on the ground that specific overt has been attributed by the petitioner, however considering the fact that the petitioner was not arrested by the respondent that now investigation has been completed and final report is likely to be filed and the fact that the petitioner has no bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner



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with certain conditions.

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8. 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 is made ready, before the **District Munsif cum Judicial Magistrate, Vaniyambodi**, 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:

[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 daily at 10.30 a.m., until further orders.

[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



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Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

14.03.2025

dpq

Copy to:

1. The Inspector of Police,
Thimmampettai Police Station
Thirupathur District.
2. The District Munsif cum Judicial Magistrate,
Vaniyambodi.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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