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CRL OP NO.8259 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8259 of 2025

Gandhimani

Petitioner/A4

Vs

State Rep By,
The Inspector Of Police
Singanallur Police Station,
Coimbatore City,
Coimbatore.
(Cr.No.163 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner / Accused on
anticipatory bail in the event of arrest in Crime No.163 of 2025 pending
on the file of the respondent police.

For petitioner : Mr.Prabakar Ramasamy
For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 296(b),
115(2) and 351(2) of the BNS and Section 4 of the TNPHW Act, 2002,
in Crime No.163 of 2025, on the file of the respondent police, seeks
anticipatory bail.



CRL OP NO.8259 of 2025

WEB COPY

2. The case of the prosecution is that on account of prior enmity, the petitioner along with the other accused trespassed into the house of the de facto complainant, assaulted her with hands and abused her in filthy language.

3. The learned counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in this case, that she is innocent; that the petitioner has no bad antecedents and in any case, custodial interrogation is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, submitted that the second and third accused are still in custody, that there is a counter case and the petitioner has no bad antecedent.

5. Considering the nature of the allegations, the petitioner has no bad antecedents, that there is a counter case, that the petitioner is aged about 62 years and the fact that the main accused, viz., second and third



CRL OP NO.8259 of 2025

accused were arrested, this Court is of the view that custodial interrogation is not required for the purpose of investigation. Hence, 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 Additional Mahila Court, Coimbatore** 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.



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CRL OP NO.8259 of 2025

[b] the petitioner shall report before respondent police everyday 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 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.

20.03.2025

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CRL OP NO.8259 of 2025

To:

1. The Inspector Of Police
K9 Thiru.vi.Ka.Nagar Police Station,
Chennai..
2. The Additional Mahila Court,
Coimbatore.
3. The Public Prosecutor,
High Court Madras.



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CRL OP NO.8259 of 2025

SUNDER MOHAN, J.
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CRL OP NO.8259 of 2025

20.03.2025