



WEB COPY

Crl.O.P.No.8226 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8226 of 2025

T. Senthamarai
W/o. Thirusangu

....Petitioner/Accused-4

Vs

The State represent by
The Inspector Police,
Neyveli Thermal Police Station,
Cuddalore District

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of her arrest **in Crime No.12 of 2025**, on the file of the
respondent police.

For Petitioner	: Mr. Rajaguru Chinnamuthu
For Respondent	: Mr. S. Balaji Government Advocate (Crl. Side)



ORDER

WEB COPY

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 127(2), 118(1) & 103 of BNSS Act, 2023, subsequently altered into 191(2), 296(b), 127(2), 118(1), 103, 115(2) and 351(3) of BNS Act, 2023 (Section 147, 294(b), 342, 324, 302, 323 & 506 of IPC), in Crime No.12 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the deceased had borrowed a sum of Rs.1,00,000/- from A1; that though he had repaid the same, he had not paid the interest, due to which, A1 along with other accused attacked the deceased using knife, as a result of which, the deceased sustained injuries and died. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is aged 53 years; that the petitioner has been falsely implicated by the *de facto* complainant and in fact all the family members of A1 had been implicated; that the petitioner was not involved in the alleged offence; that the other co-accused were arrested and released on bail



and that custodial interrogation of the petitioner is not required for the purpose of investigation and sought anticipatory bail for the petitioner.

4. The learned Government Advocate(Crl side) appearing for the respondent police reiterated the prosecution case and confirmed that the petitioner is the mother of A1 and she was present at the scene of occurrence, and abused the victim.

5. The allegation in the FIR is that the first accused had wordy quarrel with the *defacto* complainant on account of money dispute and thereafter had caused the death of the deceased by stabbing him with knife. The petitioner is said to have been present in the scene of occurrence. Considering the aforesaid facts and the fact that the other co-accused were arrested and released on bail and that since 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.

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**



District Munsif-cum-Judicial Magistrate, Neyveli, on condition that the

petitioner shall execute a 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 as and when required.

[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



WEB COPY

Crl.O.P.No.8226 of 2025



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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

26.03.2025

bga

To

1. The District Munsif-cum-Judicial Magistrate, Neyveli.
2. The Inspector Police,
Neyveli Thermal Police Station,
Cuddalore District.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.8226 of 2025

SUNDER MOHAN, J.

bga

Crl.O.P. No.8226 of 2025

26.03.2025