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Crl. O.P. No.9596 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.9596 of 2025

Tamilarasi W/o. Raghu

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
Perambalur Police Station,
Perambalur.
(Crime No.109 of 2025).

... Respondent

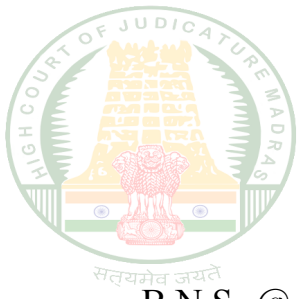
PRAYER: The Criminal Original Petition is filed under Section 482 of B.N.S.S.,
praying to grant anticipatory bail to the petitioner / Accused in Cr. No.109 of
2025 on the file of the respondent police.

For Petitioner : Mr. C. Ganesh Pandian

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

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the offence punishable under Sections 109 and 61(2) of

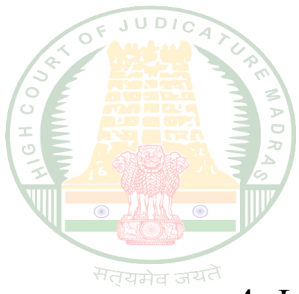


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B.N.S. @ Sections 109, 318(4) and 61(2) of the B.N.S. in connection with the case in Cr. No.109 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's father and the 1st accused were friends; that the Doctor had advised the defacto complainant's father not to consume liquor; that the 1st accused took the defacto complainant for consuming liquor; that on the next day, the defacto complainant's father died; that thereafter, A2 was arrested and his confession revealed that the 1st accused has paid Rs.21 lakhs to him to perform black magic on the defacto complainant. It is the further case of the prosecution that the petitioner is the wife of A1, in whose account, Rs.5 lakhs was credited.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; and that the petitioner has nothing to do with the alleged offences; that her husband had deposited the amount in her account; that in any case, her husband was arrested and released on bail and that custodial interrogation of the petitioner is not required and hence prayed for grant of anticipatory bail.



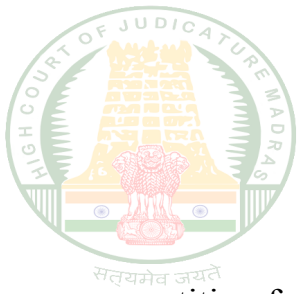
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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the deceased consumed liquor and died due to the same; that the main accused was arrested and released on bail vide order passed in Crl. O.P. No.7828 of 2025 dated 18.03.2025.

5. Considering the nature of allegations against the petitioner, the fact that no specific overt act has been attributed to the petitioner, except for a money transfer by the co-accused to her account 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 his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Perambalur** 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



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petition for anticipatory bail shall stand dismissed and on further conditions 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 for interrogation;

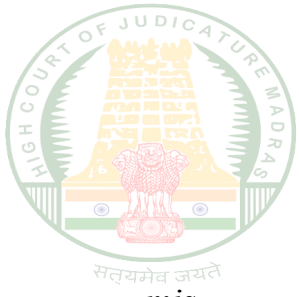
[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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]; and

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

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SUNDER MOHAN., J.

mjs

To

1. The Judicial Magistrate No.I, Perambalur.
- 2.The Public Prosecutor, High Court of Madras.
- 3.The Inspector of Police, Perambalur Police Station, Perambalur.

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