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CRL OP No. 12219 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12219 of 2025

Suganthi
W/o.Packirisamy,
No.33, Ezhai Pillaaiyar Kovil Street,
Velippalayam, Nagapattinam- 611 001.

Petitioner(s)

Vs

The State represented by,
The Inspector of Police,
Velippalayam Police Station, Nagapattinam District

Respondent(s)

Criminal Original Petition filed under Section 482 of the BNSS, 2023, to
enlarge the petitioner on bail in the event of her arrest in connection with Crime
No.94 of 2025 on the file of the respondent and thus render justice.

For Petitioner(s): Mr.Ranjith Kumar J

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



ORDER

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The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 319(2), 318(4) and 340(2) of the BNSS, in connection with a case in Crime No.94 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is aged about 45 years, was undergoing correspondence course for X standard examination; that during examination, the petitioner's daughter had impersonated as the petitioner and wrote the examination; that later, it was found that the photograph in the answer sheet did not match with that of the petitioner; and thus, the petitioner and her daughter committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false and the petitioner is falsely implicated; that petitioner's daughter was arrested and released on bail; that in any case, the allegations are borne out by records and that the custodial interrogation of the petitioner is not required. Stating so, he sought anticipatory bail for the petitioner.



4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and objected the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations which are borne out by records, and since the custodial interrogation of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. 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.II, Nagapattinam District**, 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 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 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 B.N.S.

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nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Inspector of Police,
Velippalayam Police Station,
Nagapattinam District

2.The Judicial Magistrate No.II,
Nagapattinam.



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SUNDER MOHAN J.

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