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CrI.O.P.No.17493 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17493 of 2025

S.Kowsalya

... Petitioner/Accused

Vs

State Represented by
The Inspector of Police,
Thatchampet Police Station,
Thatchampet,
Tiruvannamalai District.
(Crime No.7 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of her arrest by the respondent police in Crime No.7 of 2025 on the
file of the respondent police.

For petitioner : Mr.M.V.Athi Seshan

For Respondent : Mr.R.Vinothraja

Government Advocate (Criminal Side)



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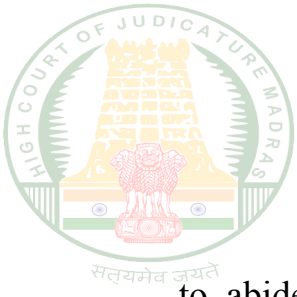
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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) of BNS, 2023 in Crime No.7 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the de-facto complainant was standing in his land, the petitioner trespassed into her land along with her cow and when the de-facto complainant questioned the same, the petitioner attacked the de-facto complainant with knife and caused injury. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the injured has been discharged from the hospital. He further submitted that the petitioner is ready



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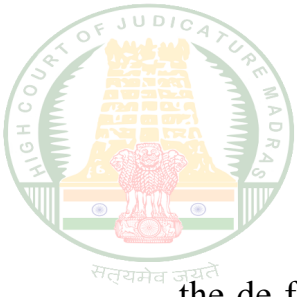
to abide by any stringent condition that may be imposed by this Court.

Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there was a wordy quarrel between the petitioner and de-facto complainant with regard to tying a cow in front of the de-facto complainant's house. Hence, a wordy quarrel arose and the petitioner attacked the de-facto complainant with knife. He further submitted that the injured has been discharged from the hospital.

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

6. Considering the submissions made on either side, it is seen that it is a dispute between the neighbours with regard to tying of cattle in front of



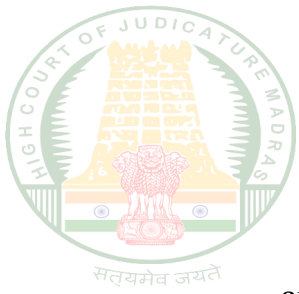
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the de-facto complainant's house and there was a wordy quarrel, further, the injured has been discharged from the hospital. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate No.I, Tiruvannamalai** 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



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automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of three weeks and thereafter as and when required for further interrogation;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make herself available for interrogation by the respondent as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, she shall comply to the directions as may be given by the Court in this regard;



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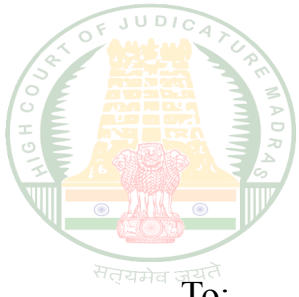
[g] the petitioner shall not abscond either during investigation or trial;

[h] 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To:
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1. The Inspector of Police,
Thatchampet Police Station,
Thatchampet,
Tiruvannamalai District.
2. The Judicial Magistrate No.I,
Tiruvannamalai.
3. The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

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