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Crl.O.P.No.15251 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15251 of 2025

Kuttiammal

... Petitioner

Vs.

State rep. by
The Inspector of Police,
M1 Madhavaram Police Station,
Chennai
(Crime No.229 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner/accused on Anticipatory bail in the event of her arrest by the respondent police in Crime No.229 of 2025 pending investigation before the respondent

For petitioner : Mr.Muthupandi V

For Respondent : Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 305(a) of BNS, 2023, in



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Crime No.229 of 2025, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner and his son allegedly entered Reliance Supermarket and stealthily removed garments from the store. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

5.Having 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, this Court is inclined to grant anticipatory bail



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to the petitioner with certain conditions and accordingly, she 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 of receipt of a copy of this order, before the learned ***District Munsif cum Judicial Magistrate, Madhavaram*** 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 said Magistrate, 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 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 daily at 10.30 a.m for a period of two weeks and thereafter, as and when required;

[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



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trial;

[e] the petitioner shall make himself available for interrogation by a Police office 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, he shall comply to the directions as may be given by the Court in this regard;

[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.

15.05.2025

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

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Note :

1. Registry is directed to forthwith upload this



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order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1.The District Munsif cum Judicial Magistrate, Madhavaram

2.The Inspector of Police,
M1 Madhavaram Police Station,
Chennai

3.The Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR, J.

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