



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15446 of 2025

Athilaxmi @ Athilakshmi

.. Petitioner/A3

Vs.

The State rep by its
The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
(Crime No.154 of 2023)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.154 of 2023 on the file of the respondent
police.

For Petitioner : M/s.G.Shankardevi

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174(3) of Cr.P.C and subsequently it was altered into 120-B, 302, 328 & 364-A of IPC, in Crime No.154 of 2023, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner had come to Ulundurpet to attend a function and she is a resident of Mumbai and that A1 and A2 are brother and mother of the petitioner. She further submit that the petitioner's sister-in-law died in a mischievous circumstances which is protected as if the petitioner's brother and mother had mixed rat poison on the food given to her, which the petitioner had knowledge and the petitioner was attending a function on that date and she was not aware of the same. She further submitted that now the investigation was completed, charge sheet has been filed and she is ready to appear and to proceed with the trial and hence, she prays to grant anticipatory bail to the petitioner.



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3. 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 submitted that the petitioner was residing in Mumbai and during the occurrence she had come to Ulundurpet native and she called her sister-in-law to come to home and thereafter A2 had served the food mixed with rat poison, which was purchased by A1 and later had taken the deceased to the hospital for treatment and later she died and that the petitioner had knowledge of mixing of rat poison in the food and she played an active role. He fairly submitted that investigation has been completed.

4. Having 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, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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



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date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Virudhachalam**, 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, and on proof of payment of deposits, 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 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 Trial Court on all hearing dates without fail;

[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.

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M.NIRMAL KUMAR, J.

cda/sma

To

- 1.The Judicial Magistrate No.II,
Virudhachalam.
- 2.The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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