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CrI.O.P.No.17135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17135 of 2025

K.Parveen Taj

... Petitioner

Vs

The State Rep. by
Inspector of Police,
Hosur Police Station,
Krishnagiri District.
Crime No.240/2025.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in
the event of arrest in connection with the Crime No.240 of 2025 on the file
of the respondent Police.

For Petitioner	:	Mr.S.Kalaimani
For Respondent	:	Mr.V.Meganathan, Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
Police for the offences punishable under Sections 191(2), 191(3), 333,
140(1), 103(1) & 238 of BNS in Crime No.240 of 2025, on the file of the



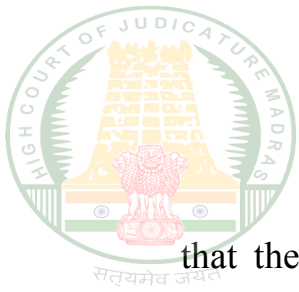
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respondent Police, seeks anticipatory bail.

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2.The learned counsel for the petitioner submitted that the petitioner is A7 and mother of A1. The case projected against the petitioner is that the petitioner advised his son/A1 how to dispose the body and to erase the evidence after A1 informed about the death of deceased. Admittedly, the petitioner was not aware about the friendship of her son/A1 with deceased and the dispute between them. The petitioner was called through mobile phone after the occurrence and as a mother, she was concern about her son/A1 and she had given some suggestions. In fact the petitioner advised her son/A1 to surrender before the Police. Now, the telephonic conversation projected as though the petitioner advised A1 to dispose the body of the deceased. Hence, he prays for anticipatory bail.

3.The learned Government Advocate (Crl. Side) appearing for the respondent Police submits the petitioner is the mother of A1 and A1 to A5 are friends. A1 borrowed an amount of Rs.30,000/- from A3 and kept it in the room. The deceased was also staying along with them and later the money was found missing. A1 questioned everyone and later it was found

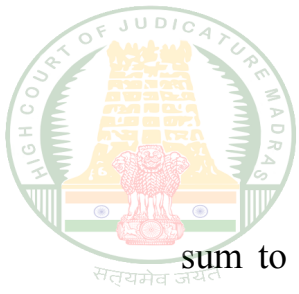


that the deceased had taken the amount. Enraged over the same, all the accused assaulted the deceased who later swooned. Thereafter, A1 called his mother/petitioner and brother/A6 informed the incident who advised A1 how to dispose the body and also to clean the room. In this case, A1 to A5 already arrested and remanded to judicial custody and A8, a juvenile is also arrested.

4.It is seen that the petitioner is the mother of A1 and she played a role after the occurrence. Admittedly, the petitioner was not present in the scene of occurrence and she was not aware about the dispute between his son/A1 and deceased prior to A1 calling and informing the incident.

5.In view of the above, 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 her 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, Hosur 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 the 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 for 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 a Police officer 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



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the petitioners 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

1.The Judicial Magistrate No.II,
Hosur.

2.The Inspector of Police,
Hosur Police Station,
Krishnagiri District.

3.The Public Prosecutor,
Madras High Court.



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