



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.18743 of 2025

Dhanamma

... Petitioners

Vs.

State represented by,
The Inspector of Police,
HUDCO Police Station,
Krishnagiri District
(Crime No. 45 of 2025)

... Respondent

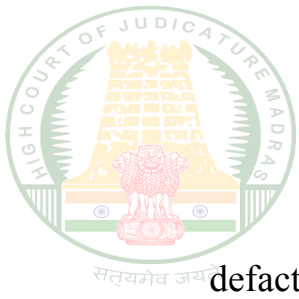
PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Crime No. 45 of 2025 on the file of the respondent Police.

For Petitioners : Mr.P.M.Jayachandran

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 331(4), 305(a) of BNS, 2023 in Crime No. 45 of 2025 on the file of the respondent police, seeks anticipatory bail.

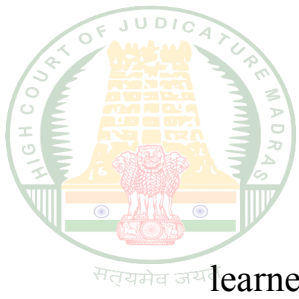


WEB COPY

2. The case of the prosecution is that on 13.02.2025, while the defacto complainant and his family members were attending a family function, some unknown persons broke the lock of the defacto complainant's house and committed a theft of 28.5 sovereigns of gold and a cash of Rs.11,00,000/- Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioner is innocent and she has been falsely implicated in this case based on the confession of A1, who is none other her husband. He submits that she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner along with other accused committed a theft of 28.5 sovereign's of gold and a cash of Rs.11,00,000/- He submits that totally there are four accused in this case and the petitioner herein is the wife of A1. He also submits that A1, A2 and A4 were enlarged on bail and A1 has given 4 sovereign's of gold and an amount of Rs.3,00,000/- to his wife. Hence, he opposed for grant of anticipatory bail to the petitioner.



WEB COPY

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel appearing on either sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.3,00,000/- (Rupees Three Lakhs only)** to the credit of Crime **No.45 of 2025** and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties. On such deposit and production of proof, 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.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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further



condition that:

[a] 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 everyday at 10.30.a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

[d] the petitioner shall not tamper with evidence or witness 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 Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.07.2025

nr



WEB COPY

Crl.O.P.No.18743 of 2025



G.K.ILANTHIRAIYAN, J.

nr

To

1. The Judicial Magistrate No.II, Hosur
2. The Inspector of Police,
HUDCO Police Station,
Krishnagiri District
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.18743 of 2025

14.07.2025.