



WEB COPY



Crl.O.P.No.19363 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19363 of 2025

Malathi

... Petitioner/A1

Vs.

State Represented by
The Inspector of Police,
Nallur Police Station.
(Crime No.356 of 2025)

... Respondent

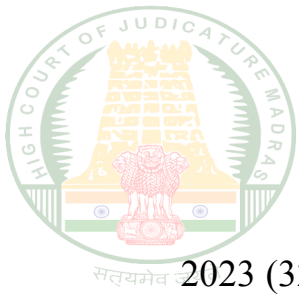
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner pending investigation in Crime No.356 of 2025 on the file of the respondent police.

For Petitioner : Mr.Deepanuday

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2025, for the offences punishable under Sections 123, 286 of BNS,



CrI.O.P.No.19363 of 2025

2023 (328, 284 of IPC) in Crime No.356 of 2025, registered on the file of the
respondent, seeks bail.

WEB COPY

2. The case of the prosecution is that the de-facto complainant purchased the tobacco from the petitioner's hotel and later experienced a headache and loss of consciousness. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submitted that the petitioner, without prejudice to her rights, is ready to deposit a sum of Rs.50,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner/A1 is running a hotel and A2 is working as server in the hotel. On the confession of accused, 131 kgs. of banned tobacco seized from A2's house. He further submitted that the petitioner has got no previous case.



CrI.O.P.No.19363 of 2025

WEB COPY

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing 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 learned **Judicial Magistrate No.IV, Tiruppur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **The petitioner shall deposit a sum of Rs.50,000/-(Rupees Fifty Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER EDUCATION AND RESEARCH, Current Account maintained at Indian Bank,**



WEB COPY



CrI.O.P.No.19363 of 2025

SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the Judicial Magistrate No.IV, Tiruppur and the receipt shall be produced at the time of executing the bond;

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

[d] the petitioner shall make herself available for interrogation by a Police Officer as and when required;

[e] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[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;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**



CrI.O.P.No.19363 of 2025

[h] If the accused thereafter absconds, a fresh

WEB COPY

FIR can be registered under Section 269 of B.N.S.

08.07.2025

rsi

Note :

1. Registry is directed to forthwith upload this 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 Judicial Magistrate No.IV,
Tiruppur.
- 2.The Inspector of Police,
Nallur Police Station.
- 3.The Superintendent,
Special Prison for Women,
Nallur, Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



WEB COPY



Crl.O.P.No.19363 of 2025

rsi

Crl.O.P.No.19363 of 2025

08.07.2025