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CRL OP No. 21541 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21541 of 2025

SANTHI

Petitioner(s)

Vs

State Represented by, The Inspector of
Police,
Athur Police Station, Salem District.
(Crime.No.182 / 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on Bail in the event of
her arrest Crime No.182 of 2025 on the file of the Respondent/Complainant.

For Petitioner: Mr.Ramalingam TM

For Respondent(s): Mr.S.Udayakumar
Government Advocate Crl.side



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(1) of BNS Act, 2023 in Crime No.182 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute there was wordy quarrel between the petitioner and the defacto complainant. Further, on the date of occurrence, the petitioner had abused the defacto complainant using filthy language. Hence the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner also lodged a complaint against the defacto complainant and the same



was also registered and in order to counter that, the present complaint has been lodged by the defacto complainant and that the injured has been discharged from the hospital. He further submitted that there is no previous case against the petitioner; and that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent confirms that on the complaint given by the petitioner, a case has been registered and the case is investigated as case and counter by the respondent and that the defacto complainant has been discharged from the hospital; and that there is no previous case against the petitioner. However, he opposed for grant of anticipatory bail.

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



6. Considering that it is a case of case and counter and that injured has

been discharged from the hospital; and the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate – I, Attur, Salem District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 petitioner and 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 as and when



required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 Petitioners in accordance with law as if the conditions have been imposed and 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

10-09-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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.State Represented by, The Inspector
of Police,
Athur Police Station, Salem District.
(Crime.No.182 / 2025

2.The Judicial Magistrate No.I, Attur,
Salem District.

3.The Public Prosecutor, High Court of
Madras.



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T.V.THAMILSELVI J.
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