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Crl.O.P.No.25104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25104 of 2025

R.Jaya

... Petitioner/Accused No.2

Vs.

State Rep by:-

The Inspector of Police,
Manavala Nagar Police Station,
Tiruvallur District.

(Crime No.63 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S, to grant anticipatory bail to the petitioner in the event of arrest in Cr.No. 63 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.Yukesh Kumar.P

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 109(1), 351(3) of BNS r/w 4 of TNPWH Act, in Crime No.63 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the dispute between neighbouring residents had already resulted in some of the petitioners being implicated. When the son of the petitioner approached the de-facto complainant to withdraw the earlier complaint, a second round of dispute arose, during which the de-facto complainant is alleged to have sustained injuries. Hence, the present case has been registered.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person who has been falsely implicated in this case. He further submitted that the petitioner is a lady aged about 49 years and that the real dispute is between the de-facto complainant and the petitioner's son. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the said fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned **Additional Mahila Court, Tiruvallur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition 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 report before the respondent police as and when required for interrogation;

[c] 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]**;



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

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To

1. The Additional Mahila Court, Tiruvallur.
2. The Inspector of Police,
Manavala Nagar Police Station,
Tiruvallur District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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