



WEB COPY



Crl.OP.No.25833 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25833 of 2025

S.Mythili

... Petitioner

Vs.

State by The Sub Inspector of Police,
Kandili Police Station,
Thirupathur District.
(Cr.No.128 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner in C.C.No.97 of 2024, on the file of the Judicial Magistrate Court-II (FAC) in Cr.No.128 of 2023 on the file of the respondent police station.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.12.2023 for the alleged offence under Sections 454, 380, 420 of IPC in C.C.No.97 of 2024, on the file of the Judicial Magistrate Court-II (FAC) in connection with Cr.No.128 of 2023 on the file of the respondent police, seeks bail.



2. The petitioner earlier filed bail petition in Crl.OP.No.7631 of 2025, which was dismissed on the following reasons:

“ 6. The counter affidavit filed by the respondent clearly indicates that the petitioner is a habitual offender. Though the petitioner was arrested on 04.12.2023, this Court is not inclined to release the petitioner on bail as the petitioner has the propensity to commit similar offences. At the same time, the petitioner cannot be detained for an indefinite period because of the delay in conclusion of the trial. Therefore, this Court is of the view that the trial Court can be directed to expedite the trial. If the trial is not concluded within a period of six months, the petitioner is at liberty to renew the bail application”.

3. Today (22.10.2025), the report received from the trial Court, wherein it has been replied by the learned Judicial Magistrate-II, Tirupathur vide Dis.No.2139/2025 dated 17.10.2025 as follows:

“ It is submitted that the accused A2, A3 and A4 were not appearing regularly before this Court, and hence the case could not be proceeded with. As the Non-bailable Warrant



WEB COPY



Crl.OP.No.25833 of 2025

issued against A3 remained pending for a long period, this case was split up against A1, A2 and A4 on 26.09.2025 and currently pending for furnishing of copies to the said accused.

4. Considering the fact that the petitioner is in custody from 04.12.2023 and the trial process has not been concluded, I am inclined to grant bail to the petitioner with certain conditions.

5. . Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Judicial Magistrate Court-II, (FAC) Thirupathur** 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 report before the respondent police at 10.30 a.m for a period of two weeks and thereafter 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]**;

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

22.10.2025

Vv

Note :

4/6



Crl.OP.No.25833 of 2020

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 Court-II, (FAC)
Thirupathur
2. The Sub Inspector of Police,
Kandili Police Station,
Thirupathur District.
3. The Special Prison for Women,
Trichy.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



WEB COPY



Crl.OP.No.25833 of 2025

Vv

Crl.O.P.No.25833 of 2025

22.10.2025