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Crl.O.P.No.27485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27485 of 2025

Nithiyapriya Kumar

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Kottuchery Police Station,
Karaikal District.
Crime No.120 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.120 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.T.Saravanan

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor (Pondy)
assisted by Mr.M.Thamizhmani



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ORDER

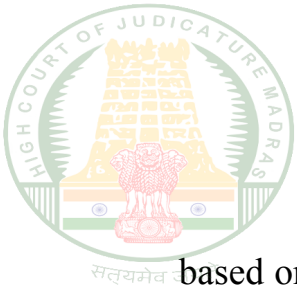
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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 305, 3(5) of BNS, in Crime No.120 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the wife of the de facto complainant. It is alleged that she developed intimacy with A2 and left with him, taking along all the properties of the de facto complainant, including various land documents and certificates. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner and the de facto complainant had separated as early as four years ago, and civil proceedings were also initiated between them. Suppressing these facts, the present complaint has been lodged only to harass the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of anticipatory bail and reiterating the prosecution case. He submitted that the FIR was registered on 15.09.2025



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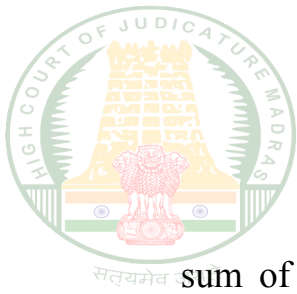
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based on the complaint lodged by the de facto complainant. According to the complainant, the missing of various documents relating to the immovable properties came to light only after his return to India, and the investigation is still pending.

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

6. Considering the submissions made by the learned counsels on either side, taking into fact that the de facto complainant had already initiated civil proceedings, and that the petitioner had separated from the de facto complainant about four years ago, this Court is of the view that custodial interrogation is not necessary and 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Karaikal**, on condition that the petitioner shall execute a bond for a



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sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent police for a period of two weeks, and thereafter as and when required for interrogation;

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

10.10.2025

cda

To

- 1.The Judicial Magistrate No.I, Karaikal.
- 2.The Inspector of Police,
Kottuchery Police Station,
Karaikal District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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