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CrI.O.P.No.27559 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.27559 of 2025

Usha

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
Thalaivasal Police Station,
Salem District.
Crime No.354 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.354 of 2015 on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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



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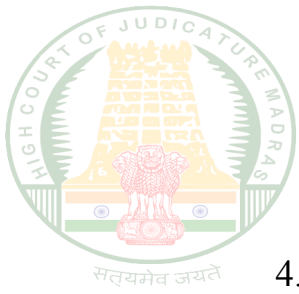
ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 115(2), 118(1), 127(2), 329(4), 326(g), 74, 305(a) of BNS, 2023, subsequently altered to Sections 191(2), 191(3), 115(2), 118(1), 127(2), 329(4), 326(g), 74, 305(a), 296(b) of BNS, 2023, in Crime No.354 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with other accused, quarrelled with the de facto complainant, attacked him with deadly weapons, and took away properties worth about Rs.75,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that a false complaint has been lodged against the petitioner and that several litigations are already pending between the parties. He further submitted that the petitioner has not taken away any property, and some of the co-accused have already been released on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.



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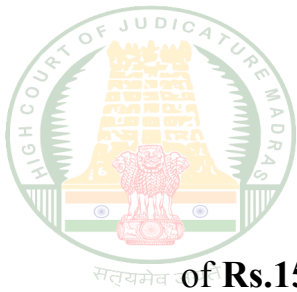
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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that no previous case is pending against the petitioner. He further submitted that the injured has been discharged from the hospital and that the co-accused, A1 to A3 have already been released on bail.

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 and taking into account that no previous case is pending against the petitioner, that the injured has been discharged from the hospital, and that the co-accused have already been released on bail, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Attur**, on condition that the petitioner shall execute a bond for a sum



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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.

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cda

To

- 1.The Judicial Magistrate No.II, Attur.
- 2.The Inspector of Police,
Thalaivasal Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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