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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No.35423 of 2025

Ashwini

... Petitioner

Vs

The State represented by
Inspector of Police,
S7- Madipakkam Police Station,
Chennai

... Respondent

[Cr. No.1231 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner in Crime No.1231 of 2025 on the file of the respondent police.

For Petitioner : Mr. M. Jaikumar

For Respondent : Mr. R.Vinoth Raja
Government Advocate [Criminal side]

O R D E R

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 318(4), 316(4) of of B.N.S.2023 in connection with the Cr. No.1231 of 2025 , seeks anticipatory bail.



2. The case of the prosecution is that the husband of the petitioner is running a Gym and the defacto complainant has invested money in the said Gym. It is alleged that on the assurance given by the petitioner and her husband that they will share the profits arising in the Gym, the defacto complainant has invested the money. However, the petitioner failed to share the profit. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner is a innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the main accused has been arrested and released on bail .Hence prayed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is pending and the offences are grave in nature, there is no previous case pending against the petitioner and the prime accused/husband of the petitioner has been arrested and released on bail. However, he strongly opposed to grant anticipatory bail to the petitioner.

6. Heard both sides and perused the materials available on record.



7. Considering the rival submissions on either side; nature of offences; the fact that the main accused has been arrested and granted bail and there is no previous case pending against the petitioner and considering all others factors this petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Alandur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one month and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 petitioner in accordance with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

26.12.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl / smn

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. The learned Judicial Magistrate, Alandur

2.The Inspector of Police,
S7- Madipakkam Police Station,
Chennai

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.
smn/mtl

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