



CRL OP(MD). No.2164 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2164 of 2025

Karpagam

... Petitioner/ A2

Vs

The State of Tamilnadu,
rep., by the Sub Inspector of Police,
Appanthirupathi Police Station,
Madurai District.
Crime No.13 of 2025

... Respondent/Complainant

For Petitioner : Mr.M.Chandrabose, Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 30.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita praying to grant an order of pre-arrest bail.

2. The petitioner/ A2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 329(4), 296(b), 118(1), 381(3), 49 and 324(2) of BNS in Crime No.13 of 2025 on the file of the respondent-police.

3. The case of prosecution is that due to the matrimonial dispute between the petitioner and the defacto complainant, on 26.01.2025 at about 11.00 am., at the instigation of the petitioner, the accused persons entered into the defacto complainant's house and caused damage to his household articles worth about Rs.2 Lakhs and attacked him causing head injury and his workers. Hence, the case.

4. Mr.M.Chandrabose, learned counsel appearing for petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays to grant pre-arrest bail to the



petitioner.
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5. Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for respondent-police, submits that in this case, totally 5 accused persons. The petitioner/A2 had relationship outside of marriage with A1 and at the instigation of A2, the accused persons caused damages to the defacto complainant's household articles and attacked him and his workers. Further, submits that injured was discharged from the hospital. However, he opposes to grant pre-arrest bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. Taking into consideration of the facts and circumstances of the case and also considering the nature of the dispute between the petitioner and the defacto complainant, and that the petitioner is a women and also injured was discharged from the hospital and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of her arrest



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or in the event of her surrender before the learned (*)Judicial Magistrate No.V, Madurai, within a period of 15 days from the date on which this order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- to the satisfaction of the learned (*)Judicial Magistrate No.V, Madurai,

(ii) The petitioner shall appear and sign before the respondent Police daily at 10.00 a.m, until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship, [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(v) The petitioner or her friends and relatives shall not enter into the house and work place of the defacto complainant; and

(vi) On breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by him 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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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07/02/2025

(*)Amended as per the order of this court dated 03/03/2025 in CRL MP(MD)No.2739 of 2025 in CRL OP(MD)No.2164 of 2025.

Further time is extended till 17.03.2025 to comply the conditions imposed in the pre-arrest bail order dated 07.02.2025 in CrI.O.P.(MD)No.2164 of 2025.

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/03/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Rmk

To be Substituted to the order which is already despatched on 21.02.2025

To

1.THE JUDICIAL MAGISTRATE NO.V, MADURAI.

2.THE JUDICIAL MAGISTRATE NO.II, MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

4.THE SUB INSPECTOR OF POLICE,
APPANTHIRUPATHI POLICE STATION,
MADURAI DISTRICT.

5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.CHANDRABOSE, Advocate (SR-2380[I] dated 04/03/2025)



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ORDER
IN
CRL OP(MD) No.2164 of 2025
Date :07/02/2025

RK/SKN/ SAR- 4 (19/02/2025) 6P / 6C

MK/VR/ SAR- (12/03/2025) 6P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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