



CRL OP(MD). No.2734 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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P. Chinnammal

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Chinnadharapuram Police Station,
Karur District.
Crime No.04 of 2025.

... Respondent/Complainant

For Petitioner : Mr. Syed Ali N,
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. 04 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 10.02.2025 under

<https://www.mhc.tn.gov.in/judis> Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant



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an order of pre-arrest bail.

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2. The petitioner / accused No.2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 329(4) and 305(a) of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.04 of 2025 on the file of the respondent-police.

3. The case for the prosecution is that there was a landlord-tenant dispute between the parties. The defacto complainant is the tenant of the petitioner's son. On a previous occasion, the petitioner's son is said to have abused the defacto complainant, for which the defacto complainant lodged a complaint. After investigation, the charge sheet was filed and the same has been taken on file as C.C.No.712 of 2024, on the file of the District Munsif cum Judicial Magistrate Court, Aravakurichi and the case was adjourned to 23.01.2025. While this was ongoing, on 20.12.2024, at about 08:00 a.m., when the defacto complainant went to his rental house, his belongings were thrown out, and a sum of Rs.1,50,000/- in the house was stolen by the petitioner and her son. The house was also locked by them. Hence, this case.

4. Mr.N.Syed Ali, the learned counsel for the petitioner, submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. He further



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submits that the co-accused i.e., the petitioner's son has already been released on pre-arrest bail by this Court in Crl.O.P(MD).No.1167 of 2025, vide order, dated 23.01.2025. Hence, he prays for grant of pre-arrest bail to the petitioner also.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there is a landlord - tenant dispute between the parties and there is no previous case pending against the petitioner. However, he vehemently opposes to grant pre-arrest bail to the petitioner.

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

7. Considering the facts and circumstances of the case and the age of the petitioner and also considering the fact that there is a landlord - tenant dispute between the parties and taking note of the fact that there is no previous case pending against the petitioner and the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding and with a view to grant an opportunity to the petitioner, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of her arrest or in the event of her surrender before the learned District Munsif - Cum - Judicial Magistrate, Aravakurichi, within a period of 15 days from date on which the order



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copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the said Magistrate;

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(ii) 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.

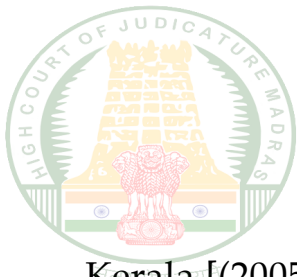
(iii) Thereafter, the petitioner shall appear before the respondent police as and when required for interrogation.

(iv) The petitioner should not enter into the defacto complainant's house or his work place.

(v) The petitioner shall furnish her residential address and mobile number to the concerned Magistrate.

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

(vii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner 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



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Kerala [(2005) 13 SCC 283].

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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ARAVAKURICHI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
CHINNADHARAPURAM POLICE STATION,
KARUR DISTRICT.

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

+1 CC to M/s.N.SYED ALI, Advocate (SR-1752[I] dated 18/02/2025)

ORDER IN
CRL OP(MD) No.2734 of 2025
Date :14/02/2025

SA/SKN/SAR. /25.02.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.