



CRL OP(MD). No.3588 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3588 of 2025

Santhi

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
(Crime No. 444 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Ramesh Kumar, 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. 444 of 2024 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 24.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the

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offences punishable under Sections 3(1), 4(1), 5(1)(d) and 7(1)(a) of Immoral Traffic
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(Prevention) Act, 1956 and Sections 308(3) and 351(2) of BNS, 2023 in Crime No.444 of
2024 on the file of the respondent-police.

3. The case of the prosecution is that on 27.12.2024, at about 12.00 p.m., near Pasupathipalayam Arunachalanagar, the petitioner herein introduced herself to the defacto complainant and asked him to come to her house. Thereafter, the defacto complainant went to the house of the petitioner, where the petitioner and others allegedly attempted to subject the defacto complainant to the prostitution. When the defcto complainant tried to escape from the place, the petitioner along with the other accused persons forcibly took away a sum of Rs.8,000/- from the defacto complainant and threatened him with dire consequences. Hence, the complaint.

4. Mr.S.Ramesh Kumar, 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 she has been falsely implicated in this case. He, further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police submits that the custodial interrogation of the petitioner may not be required in this case. He further submits that there are no



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previous cases against the petitioner. However, he prays to dismiss this Criminal
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Original Petition.

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

7. In view of the offence alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case. The petitioner has permanent residence and therefore, there is less possibility for absconding. Considering the same and also considering the facts and circumstances of the case and taking note of the fact that there are no previous cases against the petitioner and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant an order of pre-arrest bail 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 Additional Mahila Judge, Karur District within a period of 15 days from date on which the 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/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Additional Mahila Judge, Karur District;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Additional Mahila Judge, Karur District shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the learned Additional Mahila Judge, Karur District on all working days at 10.30 a.m. until further orders;

(iv) The petitioner shall make herself available for interrogation by a police officer as and when required;

(v) 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 him from disclosing such facts to the Court or to any police officer;

(vi) The petitioner shall not leave India without the previous permission of the Court;

(vii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and shall not enter into the house of the defacto complainant or his work place and shall not tamper the evidence;

(viii) The petitioner shall furnish her residential address and mobile number to the learned Additional Mahila Judge, Karur District; and

(ix) On breach of any of the aforementioned conditions, the learned Additional Mahila Judge, Karur District or Trial Court, as the case may be, is entitled to pass



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appropriate orders against the petitioner in accordance with law as if the
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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].

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

sd/-
26/02/2025

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/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE ADDITIONAL MAHILA JUDGE, KARUR DISTRICT.
- 2 THE INSPECTOR OF POLICE, PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3588 of 2025
Date :26/02/2025

RS/SKN/SAR-(17.03.2025) 5P 4C
Madurai Bench of Madras High Court is issuing
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