



CRL OP(MD). No.3730 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Deepa

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Usilampatty Town Police Station,
Madurai District.
Crime No.482 of 2024

... Respondent/ Complainant

For Petitioner : Mr.J.M.Arvind Pawlraj

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.482 of 2024 on the file of the respondent-police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 25.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 191(2), 329(4), 296(b), 303(2) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.482 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that the marriage between the petitioner and the defacto complainant solemnized prior to 16 years and they were separated 6 years ago. On 29.07.2024, the defacto complainant closed the jewel loan obtained from SBI, Usilampatty Branch and kept his jewels in his house and thereafter, the defacto complainant left to Chattisgarh. On 31.10.2024, the defacto complainant's parents went to the house and found that the jewels were missing. Thereafter, they came to know that the petitioner along with other accused persons break-open the house of the defacto complainant and took away the jewels. While the defacto complainant met the petitioner and other accused persons and questioned the same,



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they abused him in filthy language and criminally intimidated him. Hence, the case.

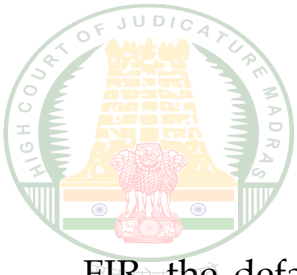
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4. Mr.J.M.Arvind Pawlraj, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that as per the directions of this Court, on 27.02.2025, the petitioner appeared before the respondent-Police and co-operated with the investigation. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, on instructions, submits that the custodial interrogation of the petitioner is not necessary in this case.

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

7. The petitioner is none other than the wife of the defacto complainant. It appears that there is matrimonial dispute between the parties. The petitioner and her two children are residing together. Further, it appears that subsequent to the present



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FIR, the defacto complainant's mother filed a complaint against the petitioner and based on the complaint, the respondent-Police registered a case for the offences punishable under Sections 333, 296(b), 118(1) and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.355 of 2024 on the file of the Usilampatti Taluk Police Station, Madurai District. In view of the facts and circumstances, this Court is of the prima facie view that there is less possibility of absconding. Considering the cumulative circumstances and taking note of the relationship between the parties, 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 bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate No.1, Usilampatty, within a period of 15 days from the date on which the order 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 learned Judicial Magistrate No.1, Usilampatty;

(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



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identity proofs to ensure their identity;
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(iii) The petitioner shall make herself available for interrogation by a police officer as and when required;

(iv) 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;

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

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police weekly twice i.e., on every Monday and Friday at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate No.1, Usilampatty;

(viii) The petitioner shall not enter into the defacto complainant's house or



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

(x) On breach of any of the aforementioned conditions, concerned 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 them 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/-

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



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TO

1 THE JUDICIAL MAGISTRATE NO.1,
USILAMPATTY.

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE USILAMPATTY
TOWN POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to J.M.ARVIND PAWLRAJ Advocate SR.No.3407(I) DT.25.03.2025

ORDER

IN

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Date :21/03/2025

PP//SAR-(15.04.2025) 7P 6C

Madurai Bench of Madras High Court is issuing
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