



CRL OP(MD). No.3758 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Uma

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,  
Rep. by the Inspector of Police,  
Keeranur Police Station,  
Dindigul District.  
Crime No. 19/2025.

... Respondent/Complainant

For Petitioner : Mr. K.K. Samy  
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.19 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 25.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant 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 offence punishable under Sections 115(2), 296(b), 303(2), 351(2) of BNS, 2023 and Section 4 of TNPHW Act, 2002 in Crime No.19 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to previous dispute on 06.01.2025, at about 7.30 a.m., when the defacto complainant was going to a shop A1 attacked the defacto complainant and abused her in filthy language. When the defacto complainant's daughter blocked the attack of the defacto complainant by the A1, A1 also abused the defacto complainant's daughter. A1 also cut the chain of the defacto complainant's daughter. The petitioner, the mother of A1 also abused them in filthy language. Hence, the case.

4. Mr.K.K.Samy, 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 however 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, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the defacto



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complainant and the petitioner are sisters. He further submits that the co-accused / A1 has already been granted bail by this Court vide order dated 23.01.2025 made in CrI.O.P(MD).No.1203 of 2025. He further submits that the investigation of the case is still pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioner, she will cause threat to the defacto complainant and her daughter. Accordingly, he prays to dismiss this Criminal 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 is not necessary in this case. Further, the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the facts and circumstances of the case and that the co-accused / A1 has already been granted pre-arrest bail by this Court vide order, dated 23.01.2025 made in CrI.O.P(MD). No.1203 of 2025, 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 Judicial Magistrate, Palani, Dindigul District, within a period of 15 days from the date on which the order copy



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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.

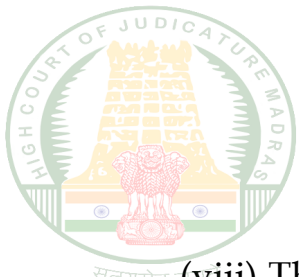
(iii) The petitioner shall appear and sign before the respondent—police daily at 10.00 am until further orders;

(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, directly or indirectly, cause any threat to the defacto complainant and her daughter and tamper with the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.



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work place.

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

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

(x) 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 Kerala [(2005) 13 SCC 283].

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

sd/-  
27/02/2025

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

TRP

TO

1 THE JUDICIAL MAGISTRATE,  
PALANI, DINDIGUL DISTRICT.

<https://www.hmc.tn.gov.in/judis>



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL  
DISTRICT.

3 THE INSPECTOR OF POLICE,  
KEERANUR POLICE STATION,  
DINDIGUL DISTRICT.

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

+1 CC to M/s.K.K.SAMY, Advocate ( SR-2231[I] dated 28/02/2025 )

ORDER  
IN

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Date :27/02/2025

MK/VR/SAR /12.03.2025 6P/6C

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