



CRL OP(MD). No.3936 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3936 of 2025

1. Parameshwari
2. Rajalakshmi
3. Muthupetchi @ Petchiyammal

... Petitioners / Accused
rank not known

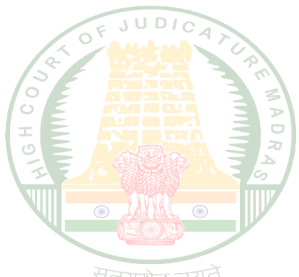
Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thenkarai Police Station,
Theni District.
Crime No. 86/2025.

... Respondent/Complainant

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-
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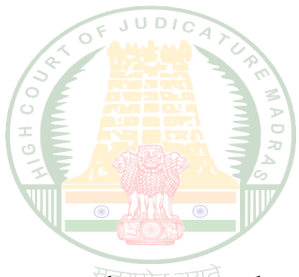
C-33AB. For Anticipatory bail in Crime No. 86 of 2025 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 27.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / Accused rank not known apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 191(2), 329 (4), 115(2), 74 and 308(4) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 3 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.86 of 2025 on the file of the respondent-police.

3. The case for the prosecution is that the defacto complainant has borrowed a sum of Rs.50,000/- as a loan from the 1st petitioner. On 06.02.2025, at about 8.00 pm, the petitioners trespassed into the defacto complainant's house, forced her to sign a document acknowledging a loan of Rs.5,00,000/-, abused her in filthy language and



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also assaulted the defacto complainant and her son. Hence, the case.

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4. Mr.J. Vishnu, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have been falsely implicated in this case. However, he submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners .

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there was a money dispute between the parties. He further submits that A1 was already arrested and remanded to judicial custody, and that there is no previous case pending against the petitioners, and the injured was discharged from the hospital. He further submits that the investigation of the case is pending, and therefore, at this stage, if pre-arrest bail is granted to the petitioners, they may cause threat to the defacto complainant and her family members. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the materials available on record.



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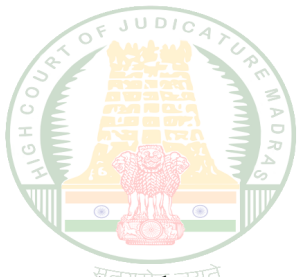
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7. In view of the offence alleged against the petitioners and the fact that the injured was discharged from the hospital, this Court is of the opinion that custodial interrogation of the petitioners is not necessary in this case. Further, the petitioners have permanent residence and deep roots in the society. Therefore, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case and taking note of the facts that the petitioners are women and that there is no previous case pending against the petitioners and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Periyakulam, Theni District 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) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Judicial Magistrate, Periyakulam, Theni District.

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

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



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

(iii) The petitioners shall appear and sign before the learned Judicial Magistrate, Periyakulam, Theni District daily at 10.30 am., until further orders.

(iv) The petitioners shall make themselves available for interrogation by a police officer as and when required.

(v) The petitioners 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 petitioners shall not leave India without the previous permission of the Court.

(vii) The petitioners shall not enter into the defacto complainant's house or her work place.

(viii) The petitioners shall furnish their residential address and mobile numbers to the learned Judicial Magistrate, Periyakulam, Theni District

(ix) The petitioners shall not directly or indirectly cause threat to the defacto complainant and her family members and tamper with the evidence.



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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Periyakulam, Theni District or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioners 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/-
11/03/2025

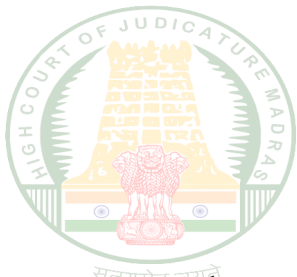
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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Periyakulam, Theni District



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2. Do-Through The Chief Judicial Magistrate,
Theni District.

3. The Inspector of Police,
Thenkarai Police Station,
Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.3936 of 2025
Date : 11/03/2025

VN (26/03/2025) 7P / 5 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.