



CRL.OP(MD). No.4902 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2025**

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4902 of 2025

Sangeetha

... Petitioner / Sole Accused

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
North Police Station,
Karaikudi,
Sivagangai District.
(Crime No.55 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.55 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Moorthy,
Advocate

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

For Intervenor : Mr.R.Anand,Advocate

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 13.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



CRL.OP(MD). No.4902 of 2025

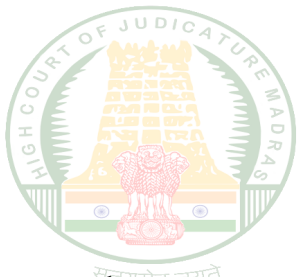
WEB COPY

2. The petitioner apprehends arrest at the hands of the respondent-police for the offence punishable under Section 306 of BNS, 2023, in Crime No.55 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that a private agency named 'S.S. Home Care' (a home nursing service) located at Arasaradi, Madurai, engaged the petitioner as a home nurse at the residence of the defacto complainant. Subsequently, the petitioner had committed theft of 20 sovereigns of gold ornaments. Hence, a police complaint was lodged by the defacto complainant, and the same is currently pending at the enquiry stage with the respondent-police. Hence, the case.

4. Mr.S.Moorthy, 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 also 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 investigation in this case has not been completed. Hence, custodial interrogation of the petitioner is necessary to unearth the truth. Therefore, he contends that, if the petitioner is granted pre-arrest bail, she will cause threat to the defacto complainant and other witnesses and



CRL.OP(MD). No.4902 of 2025

also tamper with the evidence. Accordingly, he prays to dismiss this Criminal
WEB COPY

Original Petition.

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

7. The earlier petition for pre-arrest bail filed by the petitioner in Crl.O.P.(MD). No.2459 of 2025 was dismissed as withdrawn by this Court on 03.03.2025. Thereafter, the present petition has been filed. When the matter was taken up for hearing today, it was brought to the notice of this Court that nearly 12 sovereigns of gold ornaments are yet to be recovered. Hence, it is clear that there is no change of circumstances in this petition at this stage. Therefore, this Court is of the view that custodial interrogation of the petitioner is absolutely necessary to unearth the truth. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

21/04/2025

/ TRUE COPY /

/05/2025

Sub-Assistant Registrar
(C.S.I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

Pal



CRL.OP(MD). No.4902 of 2025

TO
WEB COPY

1.The Inspector of Police,
North Police Station,
Karaikudi,
Sivagangai District.

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

ORDER
IN
CRL OP(MD) No.4902 of 2025
Date :21/04/2025

RK(15/05/2025) 4P / 3C

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