



CRL.OP(MD). No.4795 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.4795 of 2025

Latha

... Petitioner/ Accused No.3

Vs.

State of Tamil Nadu  
rep., by The Inspector of Police,  
Cantonment Police Station,  
Trichy District.  
Crime No.1427 of 2024

... Respondent/Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on bail in the event of her arrest or surrender in connection with Crime No.1427 of 2024 on the file of the respondent- police.

For Petitioner : Dr.R.Alagumani  
For Respondent : Mr.K.Sanjai Gandhi  
Government Advocate (crl.side)

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.03.2025 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



CRL.OP(MD). No.4795 of 2025

the offences punishable under Sections 3(2)(a), 4(1), and 4(2)(c) of the Immoral Traffic  
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(Prevention) Act and Section 143 of BNS, 2023, in Crime No.1427 of 2024 on the file of  
the respondent-police.

3. The case of the prosecution is that on 13.07.2024, based on the secret information, the respondent-police went to the scene of occurrence, searched the house, and found that the women allegedly committed immoral traffic activities. Hence, the case.

4. Dr.R.Alagumani, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and she had not committed any offence as alleged by the prosecution. He further submits that the petitioner 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. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (crl.side) appearing for the respondent-police submits that the petitioner has no previous case. He further submits that if pre-arrest bail is granted to the petitioner, she will commit similar offence, cause threat to the witnesses and tamper with evidence. Accordingly, he prays for dismissal of this criminal original petition.

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



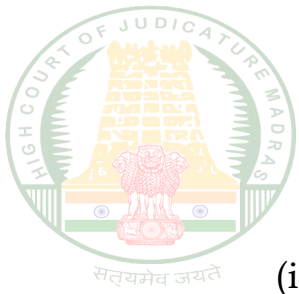
CRL.OP(MD). No.4795 of 2025

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7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the fact that the petitioner is a woman and she is a first offender 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. Accordingly, pre-arrest bail is granted 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 No.III, Tiruchirappalli, 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.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 Judicial Magistrate No.III, Tiruchirappalli.

(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.



CRL.OP(MD). No.4795 of 2025

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(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.

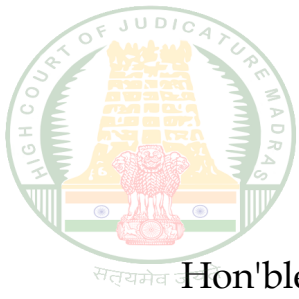
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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

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

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

(ix) 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 petitioners in accordance with law as if the aforementioned conditions are imposed by him as laid down by the



CRL.OP(MD). No.4795 of 2025

Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

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

sd/-  
14/03/2025

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

Rmk

TO

1 THE JUDICIAL MAGISTRATE NO.III, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, CANTONMENT POLICE STATION,  
TRICHY.

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

+1 CC to M/s.DR.R.ALAGUMANI, Advocate ( SR-2867[I] dated 14/03/2025 )

ORDER  
IN

CRL OP(MD) No.4795 of 2025

Date :14/03/2025

RS/GSV/SAR-(28.03.2025) 5P 6C

Madurai Bench of Madras High Court is issuing  
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