



CRL OP(MD). No.4940 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4940 of 2025

Sudha @ Sudha Rani

.. Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Manapparai Police Station,
Trichy District,
Cr.No.59 of 2025.

... Respondent/ Complainant

For Petitioner : Mr. S.Gokulraj
Advocate

For Respondent : Mr.S.S. Manoj
Government Advocate (Crl.Side)

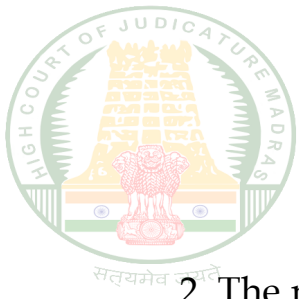
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.59 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 14.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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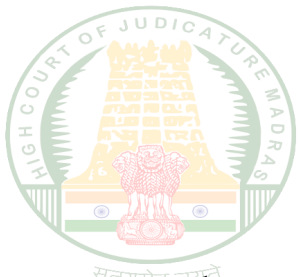
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2. The petitioner / A2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS, 2023 in Crime No.59 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that due to property dispute, on 11.02.2025 at about 9.00 a.m., when the defacto complainant was standing in front of his house, the petitioner herein and other accused persons have attacked the defacto complainant and also abused him in filthy language. Hence, the case.

4. Mr.S.Gokulraj, 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.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the defacto complainant and first accused are brothers. He further submits the injured has been admitted in the hospital on 11.02.2025 and discharged on 24.02.2025. He further submits that A1, who is the husband of the petitioner, has already been arrested and released on bail. He further submits that the investigation of the case is still pending and, thereafter, at this stage of investigation, if pre-arrest bail is granted to the petitioner, she may



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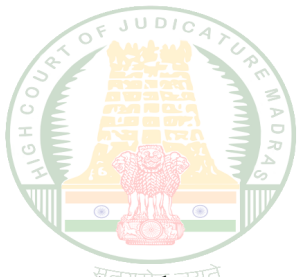
cause threat to the witnesses and commit the similar offence. Accordingly, he prays
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to dismiss this Criminal Original Petition.

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

7. In view of the offence alleged against the petitioner and that the the injured was discharged from the hospital, this Court is of the view that custodial interrogation is not necessary in this case. 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 taking note of the fact that the petitioner is a woman, and with a view to give an opportunity 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, Manapparai, Trichy District, within a period of 15 days from 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 Judicial Magistrate, Manapparai, Trichy District.

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



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The Judicial Magistrate, Manapparai, Trichy District, 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 weekly twice ie., on every Monday and Friday at 10.00 am until further orders.

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

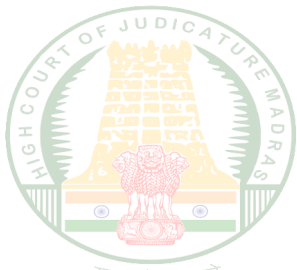
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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

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

(viii) The petitioner shall furnish her residential address and mobile number to the Judicial Magistrate, Manapparai, Trichy District.

(ix) On breach of any of the aforementioned conditions, the Judicial Magistrate, Manapparai, Trichy District is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are



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imposed by her 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/-
18.03.2025

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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Manapparai, Trichy District.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Manapparai Police Station,
Trichy District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-3037[I] dated 18/03/2025)



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ORDER

IN

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Date : 18/03/2025

SL(03.04.2025)/ 6P/ 6C

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