



CRL OP(MD). No.5066 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5066 of 2025

1.Rejina

2.Granappu @ Granapu

... Petitioners/ Accused Nos.2 & 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Thiruchendur,
Tuticorin District.

Crime No.12 of 2025

... Respondent/Complainant

For Petitioners : Mr.M.M.Manivelpandian

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

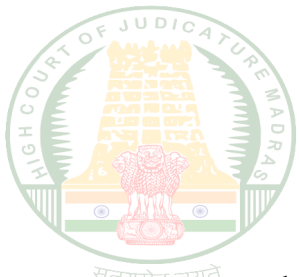
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.12 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 17.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



CRL OP(MD). No.5066 of 2025

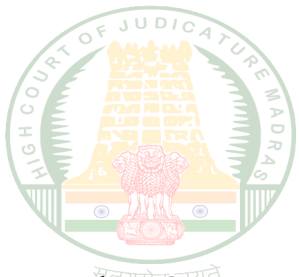
grant an order of pre-arrest bail.

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2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 417, 406, 294(b), 323, 354(A) and 506(ii) of Indian Penal Code, 1860 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.12 of 2025 on the file of the respondent-police.

3. The case of the prosecution is the defacto complainant is a married woman, and due to matrimonial dispute, she left her matrimonial home. While so, A1, a Police officer, promising to marry her, had physical relationship with her. As a result, she got pregnant and later was blessed with a boy baby. The defacto complainant also gave her 5 sovereigns of jewels for pledging but, A1, did not return the same. Thereafter, A1 denied to marry the defacto complainant. When the same was questioned by the defacto complainant, the petitioners along with other accused persons, attacked the defacto complainant and pulled her saree in a public place. The accused persons also attempted to murder the defacto complainant. Hence, the case.

4. Mr.M.M.Manivelpandian, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and that they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any conditions that be imposed by



CRL OP(MD). No.5066 of 2025

this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

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5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the occurrence took place between 2019 and 2024. He further submits that now, the defacto complainant was blessed with a male child. He further submits that the petitioners are mother and sister of A1. He further submits that investigation has not been completed in this case, and therefore, custodial interrogation of the petitioners is necessary to unearth the truth. He therefore, and prays to dismiss this Criminal Original Petition.

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

7. The petitioners have been arrayed as A2 and A3, and they are the mother and sister of A1. The alleged offence took place between the period from 2019 to 2024. But, the defacto complainant gave complaint only on 06.03.2025. In view of the facts and circumstances, this Court is of the view that the custodial interrogation of A1 is alone necessary for the investigation agency and the custodial interrogation of the petitioners is not necessary in this case. Hence, 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 bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Thiruchendur, within



CRL OP(MD). No.5066 of 2025

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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 learned Judicial Magistrate, Thiruchendur;

(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;

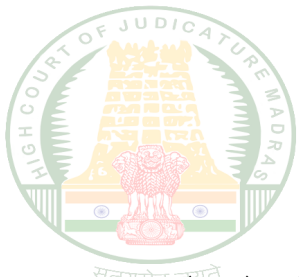
(iii) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(iv) 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;

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

(vi) The petitioners shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Thiruchendur;



CRL OP(MD). No.5066 of 2025

WEB COPY

(viii) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(ix) The petitioners shall not enter into the house and workplace of the defacto complainant; and

(x) On breach of any of the aforementioned conditions, concerned 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 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.

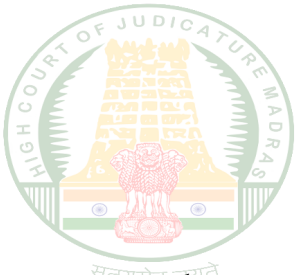
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The Judicial Magistrate,
Thiruchendur.



CRL OP(MD). No.5066 of 2025

2.Do through the Chief Judicial Magistrate,
Tuticorin District.

3.The Inspector of Police,
All Women Police Station,
Thiruchendur,
Tuticorin District.

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

+1 CC to M/s.M.M.MANIVELPANDIAN, Advocate (SR-3133[I] dated
20/03/2025)

CRL OP(MD) No.5066 of 2025
Date : 19.03.2025

SL(02.04.2025)/ 6P/ 6C

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