



CRL.OP(MD). No.5518 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.5518 of 2025

S.Rani

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
(Crime No.62 of 2025)

... Respondent / Complainant

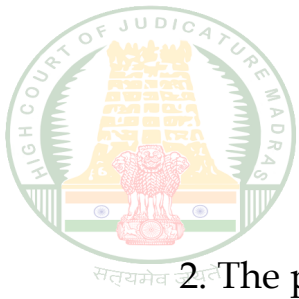
PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.62 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Senthilkumar,
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



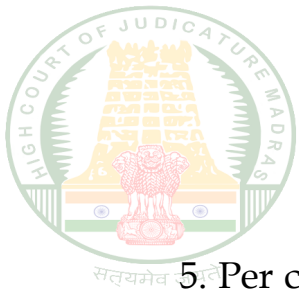
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2. The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.62 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is a collection agent of Kiramin Kooda Finance. On 12.03.2025, at about 6:00 p.m., when his co-employee visited a customer at her residence to collect the monthly chit amount, the petitioner and her two sons, who were at the said customer's house, attempted to assault the co-employee, abused her using filthy language, and restrained her from collecting the amount. She informed the defacto complainant about the incident. The defacto complainant subsequently went to the location. However, upon his arrival, the accused persons assaulted him with a wooden stick and hands, causing injuries. Based on these allegations, the present complaint has been filed against the petitioner and two others.

4. Mr.A.Senthilkumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and that she has not committed any offence as alleged by the prosecution and that a false has been foisted against this petitioner. 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.



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5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally three accused persons in this case and that the petitioner has been arrayed as A1. He further submits that there are no previous cases against the petitioner. He further submits that due to injury, the defacto complainant was admitted in the hospital on 12.03.2025 and discharged on 16.03.2025. However, he prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that the injured was discharged on 16.03.2025 and the nature of the offence allegedly committed by the petitioner, this Court is of the opinion that custodial interrogation of the petitioner is not necessary. Further the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and taking note of the fact that there are no previous cases against the petitioner, 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 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, Thottiyam, Trichy District, within a period of 15 days from the date on which the order copy is



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made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, Thottiyam, Trichy District.

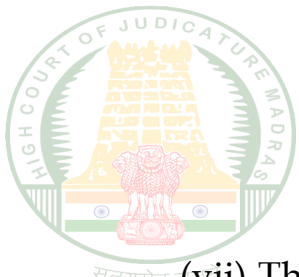
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. 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 also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.



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Court.

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

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

(ix) The petitioner shall also not enter into the defacto complainant's house or his workplace.

(x) 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 petitioner in accordance with law as if the aforementioned conditions are imposed by him 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/-
25/03/2025

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



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TO

- 1.THE JUDICIAL MAGISTRATE,
THOTTIYAM,
TRICHY DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.5518 of 2025

Date :25/03/2025

PP//SAR-(21.04.2025) 6P 5C

Madurai Bench of Madras High Court is issuing
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