



CRL OP(MD). No.5979 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Saroja

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No. 55of 2025).

... Respondent/Complainant

For Petitioner : Mr. K. Suyambulinga Bharathi
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 Crime No.55 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 28.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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to grant an order of pre-arrest bail.

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2. The petitioner / A2 apprehends arrest at the hands of the respondent-police.

Initially the case was registered under Section 194 of BNSS, 2023 and later altered into offence punishable under Section 108 of BNS, 2023 in Crime No.55 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the daughter – in – law of the petitioner committed suicide on 31.01.2025 at her matrimonial home. According to the defacto complainant, the reason for suicide of her daughter is that the petitioner and her son prevented the deceased to meet her 12 year old son. Hence, the case.

4. Mr.K. Suyambulinga Bharathi, 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 A1 has already been granted bail by this Court in Crl.O.P(MD).No.3572 of 2025, dated 26.03.2025. He further submits that the investigation of the case is still pending and therefore, at this stage,



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if pre-arrest bail is granted to the petitioner, she may cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. In view of the nature of offence alleged against the petitioner, the custodial interrogation of the petition is not necessary. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility for absconding. Considering the same, and also considering the nature of offences allegedly committed by the petitioner and with a view to give one more 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 No.I, Srivaikundam, 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.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 No.I, Srivaikundam.

(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 learned Judicial Magistrate No.I, Srivaikundam 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 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 her from disclosing such facts to the Court or to any police officer.

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

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

(viii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate No.I, Srivaikundam

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Srivaikundam is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed



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by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala
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[(2005) 13 SCC 283].

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

sd/-
02/04/2025

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/04/2025

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

trp
TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SRIVAIKUNDAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5979 of 2025
Date :02/04/2025

NBF/SAR/ (29/04/2025) 5P/5C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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