



CRL OP(MD). No.6382 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Sivagamasundari

... Petitioner/ Accused (Rank
not known)

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Crime No. 78 of 2025

... Respondent/Complainant

For Petitioner : Mr.Dr.R.Alagumani,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.78 of 2025 on the file of the respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 03.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 296(b), 324(6), 232(1), 333 and 109(1) of BNS, 2023 and Section 25(1-A) of the Arms Act in Crime No.78 of 2025 on the file of the respondent-police

3. The case of the prosecution is that on 15.03.2025, at about 05.00 p.m., the petitioner along with other accused person trespassed into the house of the defacto complainant and attacked him with deadly weapons for the reason that the defacto complainant gave evidence as against the petitioner and caused grievous injury to the defacto complainant all over the body. Hence, the case.

4. Mr.Dr.R.Alagumani, learned counsel appearing for the petitioner submits



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that the petitioner has nothing to do with the alleged offence. He further submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to allow this petition.

5. Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent Police submits that there are three accused persons in this case. He further submits that the petitioner is none other than the wife of Accused No.1. The allegation against the petitioner is that the petitioner herein induced Accused Nos.1 and 2 for committing the offence. He further submits that there is no previous case pending against the petitioner. He, however, prays to dismiss this petition.

6. Heard the learned counsel on either side and this Court has perused the records.

7. 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 fact that the petitioner is a woman, and also taking note of the fact of



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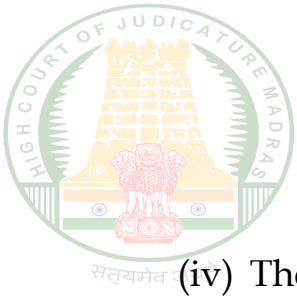
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this case that custodial interrogation of the petitioner may not be necessary for the investigating agency, and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate, Thiruvaiyaru, 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, Thiruvaiyaru;

(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, Thiruvaiyaru, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the learned Judicial Magistrate, Thiruvaiyaru on all working days at 10.30 a.m., until further orders;



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(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 previous permission of the Court;

(vii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Thiruvaiyaru;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Thiruvaiyaru or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the



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aforementioned conditions are imposed by him as laid down by the Hon'ble
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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/-
09/04/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.THE JUDICIAL MAGISTRATE, THIRUVAIYARU.

2. DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.

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



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WEB COPY +1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-4307[I] dated 16/04/2025)

ORDER
IN
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Date :09/04/2025

VN/16.05.2025 7P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023