



CRL OP(MD). No.6750 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Murugammai,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(In Crime No.170 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.Mohamed Rafi,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.170 of 2025 on the file of the respondent-Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 08.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused No.2 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 296(b) and 131 of BNS, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.170 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that there was already a matrimonial dispute existing between the A1 and the defacto complainant. On 16.02.2025, A1 consumed alcohol and beat the defacto complainant. As a result, on 16.02.2025, the defacto complainant swallowed sleeping tablets. Subsequently, she was taken to a private hospital. While the defacto complainant was undergoing treatment in the hospital, A1 went there and beat her on her cheek. Hence, the case.

4. Mr.M.Mohamed Rafi, learned counsel appearing for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioner. He further submits that the respondent-police, without conducting proper enquiry, falsely registered a case



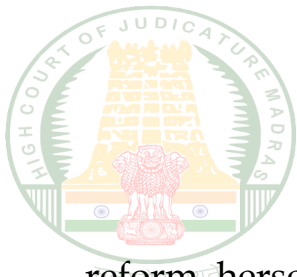
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against the petitioner. He further submits that the occurrence took place on 16.02.2025, but the complaint was registered only on 02.03.2025. He further submits that the petitioner is the mother-in-law of the defacto complainant. He further submits that A1 has borne all the hospital expenses of the defacto complainant. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. In response to the above said submission, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner is the mother of A1. In this Case, A1 and the defacto complainant have a matrimonial dispute. Hence, the defacto complainant consumed sleeping pills, while she was under treatment, A1 and the petitioner herein verbally abused her again. He further submits that there is no previous case pending against the petitioner. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the case file.

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 matrimonial dispute exists between the accused No.1 and the defacto complainant and with a view to give an opportunity to the petitioner to



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reform herself, this Court is inclined to grant an order of pre-arrest bail to the
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petitioner subject to the following conditions.

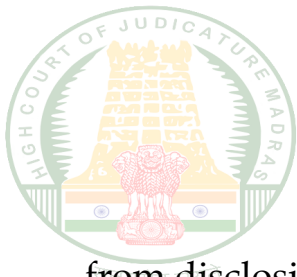
(i) The petitioner shall be released on pre-arrest bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate No.V, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees 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.V, Madurai,;

(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 No.V, Madurai, 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 No.V, Madurai, weekly twice (i.e., on Monday and Friday) at 10.30 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 her



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from disclosing such facts to the Court or to any police officer;

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(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 shall not tamper the evidence;

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.V, Madurai, 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/-
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/05/2025

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



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TO

- 1.THE LEARNED JUDICIAL MAGISTRATE NO.V,
MADURAI.
- 2.THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3.THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI CITY.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6750 of 2025
Date :15/04/2025

PR/16.05 .2025 6P/5C

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