



CRL OP(MD). No.7467 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Minnal,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sedapatti Police Station,
Madurai District.
In Crime No.09 of 2025.

... Respondent/ Complainant

For Petitioner : Mr. M. Maran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.09 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 22.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/ A2 apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 296(b), 115(2), 118(1), 131 and 351(3) @ 296(b) ,105 and 351(2) of BNS, 2023, in Crime No.09 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner is the wife of the first accused namely Pitchaimani @ Pitcahi. The defacto complainant is the wife of the deceased namely, Prabu. The defacto complainant and the petitioner are neighbours. On 13.01.2025, at around 12.30 a.m., the petitioner and her husband were selling liquor illegally. The same was reported to the police control room via 100. Due to which, the petitioner and her husband abused the deceased in filthy language and also assaulted him with iron rod thereby, caused injuries. Subsequent



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that, the deceased went to his sister's house and slept, but, did not wake up. He was immediately taken to the Government Hospital, Usilampatti for treatment and later transferred to Government Rajaji Hospital, Madurai, where he succumbed to his injuries on 20.01.2025. Hence, the complaint.

4. Mr.M.Maran, 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. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that due to dispute with regard to selling of liquor, the petitioner herein and her husband attacked the deceased and caused grievous injuries. He further submits that there is no previous case pending against the petitioner. He further submits that the weapon has been recovered. However, he prays to dismiss this Criminal Original Petition.

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



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7. Considering the facts and circumstances of the case, and considering the nature of the offence alleged against the petitioner, and also considering the fact that the petitioner has permanent residence and therefore, there is less possibility of absconding, and also considering the fact that the petitioner and the defacto complainant are neighbours and there is no previous case pending against her and property has been recovered, the custodial interrogation of the petitioner is not necessary, and also with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted 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, Peraiyur, within a period of 15 days from 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, Peraiyur,;

(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, Peraiyur, shall obtain a copy of any



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one of identity proofs to ensure their identity;

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(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m and 05.00 p.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 cause threat to the defacto complainant and the witnesses and shall not tamper the evidence;

(vi) 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;

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

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



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(ix) The petitioner shall not enter into the defacto complainant's house or workplace; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Peraiyur, 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].

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

sd/-
24/04/2025

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

VSG
TO

1.THE JUDICIAL MAGISTRATE,
PERAIYUR.



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2.DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE,
SEDAPATTI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.M.MARAN, Advocate (SR-4684[I] dated 24/04/2025)

ORDER
IN

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Date :24/04/2025

HPS/19.05.2025 /7P/6C

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