



CRL OP(MD). No.7544 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7544 of 2025

1.Vijayalakshmi
2.Mareeswari

... Petitioners/ Accused Rank Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sivakasi Town Police Station,
Sivakasi, Virudhunagar District.
Crime No.194 of 2025

... Respondent/ Complainant

For Petitioners : Mr.M.Ramkumar

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

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

PRAYER :-

For Anticipatory Bail in Crime No.194 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



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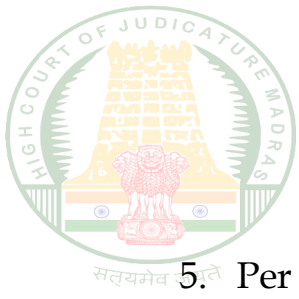
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This Criminal Original Petition has been filed by the petitioners on 22.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the alleged offences punishable under Section 309(4) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.194 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 05.03.2025, one unknown person trespassed into the defacto complainant's house and took away 8 sovereign gold jewel from her mother. Hence, the case.

4. Mr.M.Ramkumar, learned counsel appearing for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. He however submits that the petitioners are ready to abide any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.



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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side)
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appearing for the respondent-police, submits that in this case there are four accused persons and the petitioners are A3 and A4. He further submits that the first petitioner is the wife of A1 and second petitioner is the mother of first petitioner and that A1 and A2 are friends. He further submits that A1 and A2 broke open the door of the defacto complainant's house and took away 8 sovereign gold jewel and handed over the same to the petitioners and in turn, the petitioners pledged the said stolen property in a pawn shop. He further submits that A1 and A2 were arrested and based on their confession, stolen property has been recovered. He further submits that the petitioners have no previous case. However, he prays to dismiss this Criminal Original Petition.

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

7. The petitioners are women. In view of the facts and circumstances and taking note of the fact that the stolen property has been recovered, this Court is of the opinion that custodial interrogation of the petitioners is not necessary for the investigation agency. Further, the petitioners have no previous case. Hence, with a view to give an opportunity to the petitioners to reform themselves, this Court is



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inclined to grant an order of pre-arrest bail to the petitioners subject to the following

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conditions:

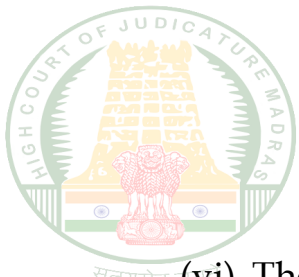
(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, Sivakasi, Virudhunagar 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 identity proof of each surety to ensure their identity;

(iii) The petitioners shall make themselves available for interrogation by police as and when required;

(iv) The petitioners 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 them from disclosing such facts to the Court or to any police officer;

(v) The petitioners shall not leave India without prior permission of the Court;



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(vi) Thereafter, the petitioners shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(vii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District;

(viii) The petitioners 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, concerned Magistrate, or Trial Judge as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them 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/-
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.

mbi



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TO
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- 1.THE JUDICIAL MAGISTRATE NO.I,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3.THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.RAMKUMAR, Advocate (SR-4725[I] dated 24/04/2025)

ORDER
IN
CRL OP(MD) No.7544 of 2025
Date :24/04/2025

VN /27.05.2025 6P/6C

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