



CRL OP(MD). No.9661 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Sankarammal,
W/o.Ganesan

...Petitioner / Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District.
(Crime No.167 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.167 of 2025 on the file of the respondent police.

<https://www.mhc.madras.gov.in/judis>



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ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 01.04.2025 for the offences under Sections 296(b), 103(1) and 49 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.167 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.04.2025, one Pushpalatha, Police Constable attached to the respondent police station, lodged a complaint before the respondent police stating that on 01.04.2025 at about 01.15 p.m., the petitioner's husband, who is A1, voluntarily surrendered before the respondent police station and confessed that he is the only son of the deceased Poomalai. Six months ago, when he was in poverty, his father Poomalai sold his ancestral property of 8 acres and 85 cents in Muthur for a sum of Rs.1,43,000,00/- gave a sum of Rs.46,00,000/- to A1 and kept the rest of the money for himself. When A1 asked his father to give the rest of the sale amount to him, he refused to give the same to A1. Disgruntled over the same, on 01.04.2025 at about 12.45 p.m., when his deceased father arrived at the Muthur bus stand, A1, at the instigation of the petitioner, attacked him with an aruval. After the death of his father, A1 took a sum of Rs.4,50,000/- from the bag which was carried by his father, went to his house and put it under the bed in his



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house. Hence, the case.

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3. The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that there are no previous cases against the petitioner. He would further submit that the petitioner is in custody from 01.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally two accused persons in this case and the petitioner has been arrayed as A2. He would further submit that there are no previous cases against the petitioner. He would further submit that investigation in this case has not been completed. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, she will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration, this court is inclined to grant bail to the



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petitioner, however, subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate Court No.III, Tirunelveli, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate Court No.III, Tirunelveli. If the petitioner changes her residential address, she shall report the same to the learned Judicial Magistrate Court No.III, Tirunelveli.

[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with



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law as if the conditions have been imposed and the petitioner released on bail by the
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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

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

sd/-
10/06/2025

/ TRUE COPY /

10/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1. THE JUDICIAL MAGISTRATE NO.III,
TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
SIVANTHIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.

<https://www.hmc.tn.gov.in/judis>



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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-6089[I] dated 10/06/2025)

ORDER
IN

CRL OP(MD) No.9661 of 2025
Date :10/06/2025

HPS/10.06.2025 /6P/7C

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