



CRL OP(MD). No.9729 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9729 of 2025

N.Lokiya,
W/o.Sivamani

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
All Women Police Station,
Pattukottai Taluk,
Thanjavur District.
(Crime No.5 of 2023)

... Respondent/Complainant

For Petitioner : Mr.J.Priscilla Pandian,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.5 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 323, 506(1) of IPC in Crime No.5 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A4 is the sister-in-law of the de-facto complainant. The 1st accused and the de-facto complainant are husband and wife. It is alleged that the 1st accused is a habitual drunkard who used to consume alcohol daily and torture the de-facto complainant, stating that her parents had failed to provide the necessary articles and dowry. It is further alleged that the petitioner/A4 assaulted the de-facto complainant by slapping her on the cheeks, stating that the 1st accused had married her only for her property, and that she was nothing more than a housemaid. It is also alleged that A1 assaulted the de-facto complainant with a steel pipe while demanding gold jewellery from her. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is working as a Deputy Manager at Aavin Department in Padalur Taluk, Perambalur District. She is an innocent person, has no connection with the alleged occurrence,



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and has been falsely implicated in this case. He further submitted that the petitioner was previously granted anticipatory bail on 16.10.2024 by the learned Principal Sessions Judge, Thanjavur in Crl.M.P.No.7235 of 2024. However, as the petitioner failed to comply with the conditions imposed, the anticipatory bail was automatically cancelled.

4. Subsequently, the petitioner filed anticipatory bail application before this Court, which was disposed of on 13.11.2024 with an observation that the dispute appears to be matrimonial in nature and that custodial interrogation of the petitioner may not be necessary. This Court also directed the respondent police to follow the procedure prescribed under Section 35 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), pursuant to which the investigation was completed and a charge sheet was filed in C.C.No.42 of 2025 on the file of the Judicial Magistrate, Pattukottai.

5. The learned Judicial Magistrate, thereafter, issued a Non-Bailable Warrant against the petitioner, and the case is now posted for hearing on 16.07.2025. He further submitted that the co-accused have already been granted anticipatory bail and are presently facing trial. The petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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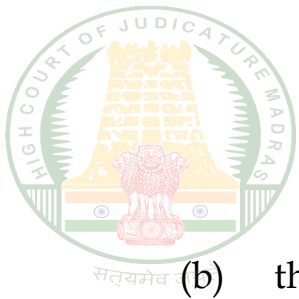
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6. The learned Government Advocate (Criminal Side) submitted that this is a dispute arising out of matrimonial issues, and there is no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

7. Considering the facts and circumstances of the case, and also taking note of the fact that the investigation in this case has been completed and charge sheet has been filed, and that the co-accused have already been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of her arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukottai Taluk, Thanjavur District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Pattukottai Taluk, Thanjavur District and on further conditions that:

(a) the petitioner and 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;



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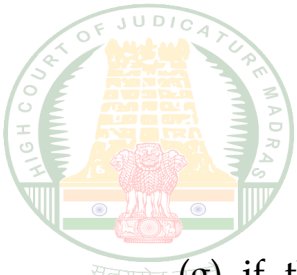
(b) the petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Pattukottai Taluk, Thanjavur District. In the event of any change in her residential address, the petitioner shall report the same to the learned Judicial Magistrate, Pattukottai Taluk, Thanjavur District;

(c) the petitioner shall report before the Inspector of Police, Padalur Police Station, Perambalur District daily at 10.30 a.m. for a period of fifteen days, except on hearing dates. Further, the petitioner shall appear before the Judicial Magistrate, Pattukottai Taluk, Thanjavur District on hearing dates without fail;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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 law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court herself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(g) if the accused thereafter abscond, a fresh FIR can be registered under
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Section 269 of BNS, 2023.

sd/-
16/06/2025

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

mkn

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI TALUK, THANJAVUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3.The Sub Inspector of Police,
All Women Police Station,
Pattukottai Taluk,
Thanjavur District .

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to
The Inspector of Police,
Padalur Police Station,
Perambalur District.

+1 CC to M/s.J.PRISCILLA PANDIAN, Advocate (SR-6376[I] dated 17/06/2025)



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ORDER
IN
CRL OP(MD) No.9729 of 2025
Date :16/06/2025

MK/30.06.2025 7P/7C

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