



CRL OP(MD). No.11426 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 08/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P.VADAMALAI

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Jafarnisha

... Petitioner/ Accused

Vs

State of Tamilnadu
Rep by the Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
In Crime No.172 of 2025)

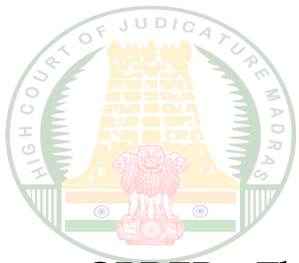
... Respondent/ Complainant

For Petitioner : Mr.B.Jameelarasu,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.172 of 2025 on the file of the
Respondent Police.



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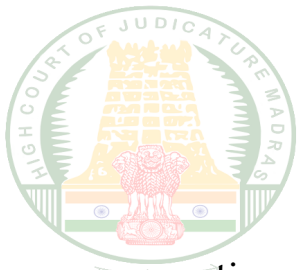
ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316, 318 of BNS, in Crime No.172 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has approached the petitioner for running the Mr.fit readymade shop for her property. Thereafter, the petitioner has received advance of Rs.7,50,000/- from him and agreement also executed in his favour and monthly rent fixed Rs.13,000/- and handed over the premises to him. Furthermore, the above mentioned property belongs to the Government and the shop was removed by the Kumbakonam Corporation for encroachment. Therefore, the defacto complainant approached the petitioner and her husband for repayment of advance amount of Rs.7,50,000/- and the same was refused by the petitioner. Hence, the defacto complainant was cheated by the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offences as alleged by the



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prosecution. He further submitted that the petitioner has constructed the building and spent huge amount. Further , the petitioner is one of the victim. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the property belongs to the Corporation of Kumbakonam and the petitioner had cheated the defacto complainant by false statement and received a sum of Rs.7,50,000/-. He further submitted that the Corporation has issued a legal notice to the concerned and thereafter demolished the building. He further submitted that the investigation is almost completed and there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation has been almost completed and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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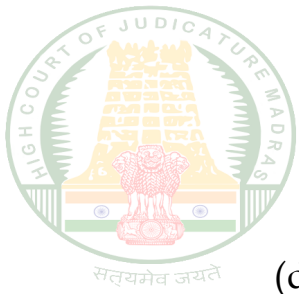
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6. Accordingly, the petitioner is ordered to be released on bail in the event of her arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.1, Kumbakkonam, Thanjavur District, on condition that the petitioner shall execute 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 the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate Court No.1, Kumbakkonam, 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;

(b) the petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate Court No.1, Kumbakkonam, Thanjavur District. In the event of any change in her residential address, the petitioner shall report the same to the learned Judicial Magistrate Court No.1, Kumbakkonam.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.



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(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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
08/07/2025

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/07/2025
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 Court No.1,
Kumbakkonam, Thanjavur District.
- 2.Do through The Chief Judicial Magistrate,
thanjavur district at kumbakonam.
- 3.The Inspector of Police,
Kumbakkonam West Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-7327[I] dated 09/07/2025)

ORDER
IN
CRL OP(MD) No.11426 of 2025
Date :08/07/2025

PR/22.07 .2025 6P/6C

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