



CRL OP(MD). No.12912 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Mayil,
D/o.Amavaasai

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
AWPS, Usilampatti Taluk,
Madurai District.
(Crime No.14 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Sendhil Kumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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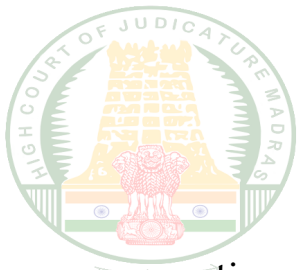
For Anticipatory Bail in Crime No.14 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(2), 64 and 296(b) of BNS, 2023 in Crime No.14 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused is an auto driver and the de-facto complainant was a passenger in his auto. In the course of time, the de-facto complainant and the 1st accused developed a love relationship, and the 1st accused promised to marry her. Believing his words, the de-facto complainant entered into a physical relationship with him, and subsequently, she became pregnant. When the 1st accused and the de-facto complainant were about to solemnize their marriage in a temple, the petitioner/2nd accused, who is the mother of the 1st accused, entered the temple and stopped their marriage, using obscene words against the de-facto complainant. Hence, the present case was registered.

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



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prosecution. She has been falsely implicated in this case. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A2 is the mother of the 1st accused. The 1st accused in this case, on the false promise of marriage, had sexual intercourse with the de-facto complainant. A1 was arrested and is still in custody. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of the offence, the limited overt act attributed against the petitioner, and also taking note of the fact that the 1st accused, who is the prime accused, has been arrested and is still in custody, and that the offence under Section 296(b) of the BNS alone is prima facie made out against the petitioner, and the offences under Sections 318(2) and 64 of the BNS would attract only against the 1st accused, and that the petitioner is merely the mother of the 1st accused, and that as the FIR was registered on 19.07.2025, the material part of the investigation might have been completed by now, this Court is of the view that the custodial interrogation of the petitioner is not



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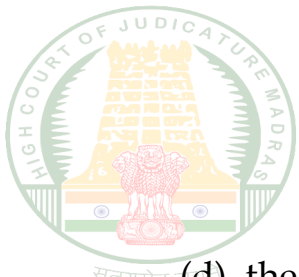
necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner,
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subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Usilampatti, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.1, Usilampatti, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 No.1, Usilampatti. In the event of any change in her residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Usilampatti;

(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 herself 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
04/08/2025

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

mkn

TO

1.The Judicial Magistrate No.1,
Usilampatti.



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2.The Inspector of Police,
AWPS, Usilampatti Taluk,
Madurai District.

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-8408[I] dated 05/08/2025)

ORDER

IN

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Date :04/08/2025

PS/SAR.28.08.2025 6P/5C

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