



CRL OP(MD). No.14513 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.09.2025**

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 14513 of 2025

Elisa @ Eliza Ashirvatham

..Petitioner/

Accused Rank Not Known

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,
Tirunelveli Taluk Police Station,

Tirunelveli District.

(Crime No.481 of 2025)

Respondent (s)

For Petitioner(s) :

Mr.N.Pragalathan

For Respondent(s) :

Mr.A.S.Abul Kalaam Azad

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Crime No.481 of 2025
on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 115(2), 324(5) and 351(2) of BNS, 2023 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.481 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to property dispute, on 19.06.2025, the petitioner and her family members unlawfully assembled together and damaged the boundary and stone and fencing of the defacto complainant. Further, the petitioner and her family members abused them in filthy language and also attacked them with hands. Hence, a case was registered.

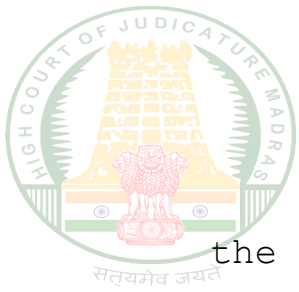


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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that due to property dispute, the above said occurrence was happened. He further submitted that there are no previous cases registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that there are no previous cases registered against

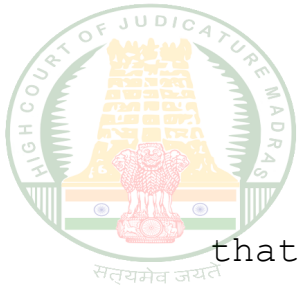


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the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, this petition is allowed and 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court No.III, Tirunelveli, Tirunelveli District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with 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 Court No.III, Tirunelveli, Tirunelveli District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition



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that:

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(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 his residential address and mobile number to the learned Judicial Magistrate Court No.III, Tirunelveli, Tirunelveli District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate Court No.III, Tirunelveli, Tirunelveli District;

(c) the petitioner shall appear and sign 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;



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

03.09.2025

vsg

To

1.The learned Judicial Magistrate Court No.III,
Tirunelveli, Tirunelveli District.

2.The Inspector Of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.

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



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S. SRIMATHY. J. ,

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