



CRL OP(MD). No.21433 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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( Criminal Jurisdiction )

Date : 26/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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T.Nithya,

W/o.Tamilarasan

... Petitioner/A2

Vs

The State of Tamil Nadu

Rep. by the Inspector of Police,

Thallakulam Police Station,

Madurai City,

Madurai District.

(Crime No.1107 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Ajin Singh S A,  
Advocate

For Respondent : Ms.M.Aasha,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.1107 of 2025 on the file of the Respondent Police.



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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 115(2), 296(b), and 351(2) of BNS, 2023 r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.1107 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that neither the petitioner nor her husband have been served a copy of FIR and the FIR is not available in the online portal because the police have marked it as “confidential” on the ground that Section 4 of TNPHW Act has been invoked. Hence, the petitioner has no knowledge about the allegations or a false narrative fabricated against her and her husband. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offences as alleged by the prosecution, and she has been falsely implicated in this case. He further submitted that due to previous motive, the defacto complainant went to her shop and abused her and assaulted her using the



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chair in the shop and when her husband came to prevent her, the defacto complainant abused both of them using filthy language and attacked her husband and caused injuries due to which the petitioner tried to lodge a complaint, but the respondent police refused to receive it and instead a false case has been foisted against the petitioner and her husband. However, 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 for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has no previous case. Further, the injured has already been discharged from the hospital. However, she opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner has no previous case and injured has already been discharged from the hospital, and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, 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 learned Judicial Magistrate No.II, Madurai, within a period of fifteen days from the date on which the order copy is made ready 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 Aadhaar card or bank pass book to ensure their identity;

**[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



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

[e] 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 is 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

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

**26.11.2025**

PJL

To

- 1.The Judicial Magistrate No.II, Madurai.
- 2.The Inspector of Police,  
Thallakulam Police Station, Madurai City, Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

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**S.SRIMATHY,J**

PJL

**ORDER  
IN  
CRL OP(MD). No.21433 of 2025**

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