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CRL OP No. 547 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 547 of 2026

1. Rajeshwari

2. Muthu

Petitioner(s)

Vs

The State Rep. by,
The Inspector of Police,
Thammampatty Police Station,
Salem District.
Crime No.318 of 2025.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to order enlarge the petitioners on Anticipatory bail in the event of arrest in Cr.No.318/2025 pending investigation on the file of the Respondent.

For Petitioner(s): Mr.Dasarathan Palanisamy

For Respondent(s): Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 331, 305 of BNS Act, in connection with Crime No.318 of 2025, registered on the file of the respondent, seek anticipatory bail.



2. The allegation against the petitioners is that the 1st petitioner is the daughter-in-law of the de facto complainant. It is alleged that the 1st petitioner entered the house of the de facto complainant, quarrelled with her and took away the gold jewels weighing about 5 ½ sovereign thali chain and cash of Rs.25,000/- and house documents. Hence, the case has been registered.

3. The learned counsel appearing for the petitioners submitted that, with regard to the alleged occurrence, the 1st petitioner has lodged a counter-complaint, which has been registered in Crime No.319 of 2025 and the respondent police also enquired into the matter at the police station and found that the petitioners had not taken any gold jewels. He further submitted that, the petitioners are ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate appearing for the respondent police reiterated the prosecution case and submitted that the 1st petitioner is the daughter-in-law and the investigation in this case is pending. Further, she submitted that, so far, no property has been recovered. Hence, she opposed the grant of anticipatory bail to the petitioners.



5. Considering the fact that the counter-complaint has been lodged on the side of the petitioners and that the same was registered in the very same police station in Crime No.319 of 2025, and petitioner was very much available before the respondent police station at the time of lodging the complaint and also taking into account the nature of the allegation, this Court is inclined to grant anticipatory bail to the petitioners, however with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Attur**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12-01-2026

Jd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



To

1. The Judicial Magistrate No.II, Attur.

2. The Inspector of Police,
Thammampatty Police Station,
Salem District.
Crime No.318 of 2025.

3. The Public Prosecutor,
Madras High Court, Chennai.



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K.RAJASEKAR J.
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