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CRL OP No. 1052 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1052 of 2026

1. Sowntharya
W/O Sabari, No.44, Kesavan Nagar,
Kannankurichi, Salem.

Petitioner(s)

Vs

1. The State Rep By, The Inspector of
Police
Hasthampatty Police Station, Salem
District. Crime No.391 of 2025.

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No.391 of 2025 on the file of the respondent police.

For Petitioner(s): Siranjeevi R

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 118(1), 109(1) and 351(3) of BNS in Crime No.391 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that due to an illicit relationship between the defacto complainant and A2/petitioner, who is the wife of A1, alleged that the petitioner joined hands with other accused attacked the defacto complainant with knife and caused severe injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution. He further submitted that the co-accused have already been granted bail by this Court in Crl.O.P.No.34985 of 2025 dated 19.12.2025. Therefore, he prays for grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally three accused in this case and the petitioner is ranked as A2. She further submitted that the injured has been discharged from the hospital and there are no previous cases against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions made by the learned counsel on either side, the co-accused have already been granted bail by this Court in Crl.O.P.No.34985 of 2025 dated 19.12.2025 and considering the fact that the injured was discharged from the hospital, and there are no bad antecedents



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

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-III, Salem**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the 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 v. State of Kerala*
[(2005) AIR SCW 5560];

(e) If the accused thereafter absconds, a fresh FIR can be
registered under Section 269 of BNS.

19-01-2026

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate-III, Salem.

2. The State Rep By, The Inspector of
Police

Hasthampatty Police Station, Salem
District. Crime No.391 of 2025.

3. The Public Prosecutor
High Court, Madras.



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K.RAJASEKAR J.
mpa

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