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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1343 of 2026

Kavipriya

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Thirupapuliyur Police Station,
Thirupapuliyur,
Cuddalore District.
(Crime No.489 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.489 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Murugabharathi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.12.2025 for the offences punishable under Sections 296(b), 103(1) of BNS, in Crime No.489 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that due to previous enmity, the petitioner along with her husband went to the house of the deceased and attacked him with knife, and slit the throat, thereby causing grievous injuries, as a result of which the deceased died immediately. Hence, the petitioner was arrested and remanded to judicial custody.

3. The learned counsel appearing for the petitioner submitted that the petitioner being a lady and that the allegation against her is only instigation of A1 to attack the deceased. He further submitted that the petitioner is in judicial custody since 10.12.2025. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner has no previous case pending against him and that the investigation is still pending. hospital. Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioner being a lady and that the specific overt act is attributed to A1, while the allegation against the petitioner is instigation, this Court is inclined to grant bail with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate No.III, Cuddalore**, and on further conditions that:

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[a] 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 report before the **Judicial Magistrate No.I, Villupuram**, for a period of three weeks and thereafter as and when required for interrogation.

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

[d] the petitioner shall not tamper with the evidence or witness 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 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];



[f] If the accused thereafter absconds, a fresh FIR can

be registered under Section 269 B.N.S.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1.The Judicial Magistrate No.III,
Cuddalore

2.The Inspector of Police,
Thirupapuliyur Police Station,
Thirupapuliyur,
Cuddalore District.

3.The Superintendent,
Central Prison (Women), Vellore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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