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CrI.OP.No. 2051 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2051 of 2026

Madhuri

Petitioner

Versus

The State rep. by

The Inspector of Police
Annadanapatty Police Station

Salem

Crime No. 01 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of her arrest pending investigation in Cr.No. 1 of 2026 on the file of the
respondent police.

For Petitioner : Mr.S.Prabhu

For Respondent : Ms.J.R.Archana

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 303(2) of BNS in Crime
No. 1 of 2026 on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the de-facto complainant is having three children and they used to go to the petitioner's house and the petitioner is also used to baby sit and it is alleged that on 07.09.2025, one of the child's waist chain took weighing 2.5 grams went missing and it is alleged that this petitioner has taken away the same. Hence, the complaint has been lodged.

3. The learned counsel for the petitioner submitted that the petitioner is aged about 18 years, studying college, a false allegation has been attributed against her and she is ready to co-operate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that so far no gold jewel recovered. After hearing the parties, this Court has also ordered interim protection to the petitioner and the petitioner also appeared before the respondent police for a period of one week, and she has given a statement before the respondent indicating her position. However, he opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsels and perused the materials available on record.

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6. This Court has also perused the FIR and other connected materials.

It is an admitted fact that the petitioner has baby sit for the de-facto complainant almost for a period of earlier two years and there was no such occurrence or any allegation against this petitioner earlier. Though it is stated that waist gold chain was not recovered, this Court is of the view that the petitioner is entitled for granting anticipatory bail considering the age and she is a lady, hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions;

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.IV, Salem**, 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 Magistrate concerned and on further condition that:



(a) If the petitioner 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;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week.

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

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

23.02.2026

MSM



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To

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1.The Judicial Magistrate No.IV, Salem.

2.The Inspector of Police
Annadanapatty Police Station
Salem, Crime No. 01 of 2026.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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