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CRL OP No. 4482 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4482 of 2026

Nithya

..Petitioner(s)

Vs

The State rep by its
The Inspector of Police,
Ethapur Police Station, Salem District.
Crime No.32 of 2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime.No.32 of 2026 on the file of Ethapur Police Station, Salem District and pass such other or further orders as this Honble Court.

For Petitioner(s): Mr.T.Ganesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.01.2026 for the alleged offences under Sections 109(1) of BNS (307 of IPC), in Crime No.32 of 2026 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is ranked as A4 in this case and she was having an affair with the co-accused in this case and



with a view to get rid of the injured in this case, conspired and colluded and accordingly while the victim was sleeping A2 to A4 entered into the house and attempted to smother him however the defacto complainant has raised alarm.

The persons from the other room came there and rescued him and also they have also caught two accused from the place of occurrence and thereafter case was registered and on investigation reveals that the petitioner is also actively participated and involved in administering the sleeping pills on the date of occurrence.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he had not committed any offence as alleged by the prosecution. He further submitted that the petitioner was inside the prison from 27.01.2026. Hence, he prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the investigation in this case is pending. Hence, he opposed for the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case,



considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and in view of the fact that the period of incarceration undergone by the petitioner, and though the petitioner is a woman, this Court is inclined to grant bail to the petitioner subject to certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Attur* and on further conditions that:

[a] 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;

[b] the petitioner shall stay at Salem and report before the learned Judicial magistrate No.I, Salem, everyday at 10:30 a.m., for a period of two weeks and thereafter to appear before the respondent police as and when required for interrogation;

[c] 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]**;



[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of 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 State rep by its
The Inspector of Police,
Ethapur Police Station, Salem District.
Crime No.32 of 2026
- 2.The Judicial Magistrate Court-I, Attur.
- 3.The Sub Jail for Women, Salem
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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