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Crl.O.P.No.5835 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.5835 of 2026 and
Crl.M.P.No.4782 of 2026

Varalakshmi

... Petitioner

Vs.

State rep. by its
The Inspector of Police,
Arcot Taluk Police Station,
Ranipet District.
(Crime No.Not Known 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 arrest pending investigation in Crime No.Not Known of 2026 on the file of the respondent police.

For Petitioner	:	Mr.K.Dilli Ganesh
For Respondent	:	Mr.P.Dhileepan Government Advocate (Crl. Side)
For Intervenor	:	Mr.Ancy George

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 296(b), 115(2), 126, 117(2) and 351(3) of BNS Act U/s.294(b), 323, 341, 324 and 506(ii) IPC in Crime No.Not Known of 2026**, on the file of the



respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that the defacto complainant went to the petitioner's house along with his finance company members for collecting the loan amount, while the defacto complainant asked remaining loan amount there was wordy quarrel arose between themselves due to which, the petitioner assaulted the defacto complainant and also criminally intimidated him. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and she has not committed any such offence as alleged by the defacto complainant and she has been falsely implicated in this case. He further submitted that she is ready to abide by any stringent condition that may be imposed by this Court and she is ready to co-operate with the investigation. Hence, he prays to grant anticipatory 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 defacto complainant is the finance Company, wherein the accused has mortgaged her property and that the defacto complainant took



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possession of the property in furtherance of SARFESI Act as per the order of the learned Chief Judicial Magistrate on 30.01.2026. He further submit that the Advocate Commissioner appointed by the learned Chief Judicial Magistrate took possession of the property on 24.02.2026 and locked the same, but the petitioner along with other accused have break open the same and entered into the premises on 25.02.2026. He would further submit that initially the case was registered with crime number not known subsequently, crime number has been assigned in Crime No.43 of 2026 for the offence under Section 329(4) of The Bharatiya Nyaya Sanhita (BNS), 2023. Though the learned Government Advocate (Crl.Side) would strongly oppose the anticipatory bail application would fairly submit that in this case no one was injured.

5. At this juncture, the learned counsel for the intervenor strongly opposed to grant anticipatory bail to the petitioner would contend that the petitioner has deliberately entered the premises and caused damages to the property and if the petitioner is enlarged on bail there is every possibility that she may made an attempt in future.

6. I have given my anxious consideration on either side submissions.

7. Though the allegation against the petitioner is serious, she entered into the premises which was taken over by the secured creditor based upon the



orders of the learned Chief Judicial Magistrate. However, while looking at the gender of the petitioner, she being a women and widow and also who lost the property in pursuance of situation that she could not repay the amount, this Court would like to consider her anticipatory bail application positively, but with stringent condition. Hence, this Court is inclined to enlarge her on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned District Munsif cum Judicial Magistrate, Arcot**, 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 conditions:

(a) If the petitioner 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 sign before the respondent police daily at 10.30 a.m., and 5.30 p.m., for a period of thirty days and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

Consequently, the connected miscellaneous petition stands closed.

11.03.2026

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C.KUMARAPPAN,J.,

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To:

1.The District Munsif cum Judicial Magistrate,
Arcot.



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2.The Inspector of Police,
Arcot Taluk Police Station,
Ranipet District.

3.The Public Prosecutor,
High Court of Madras.

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