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CRL OP No. 6137 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6137 of 2026

Sujatha

..Petitioner(s)

Vs

State of Tamil Nadu,
Represented by the Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
Crime No.34 of 2026

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner / accused on bail in the event of arrest by the respondent in Crime No.34 of 2026.

For Petitioner(s): Mr.S.Sathish Kumar

For Respondent(s): Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b) and 118(1) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.34 of 2026 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that there is a matrimonial discord between the petitioner / wife and the de facto complainant / husband. Since the



de facto complainant questioned about the alleged illicit relationship of the petitioner, the petitioner assaulted the de facto complainant using a wooden log and abused him in filthy language. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the injury sustained by the de facto complainant is simple in nature and the injured has been discharged from the hospital. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police fairly submits that the de facto complainant has been discharged from the hospital.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. The entire issue revolves around a matrimonial discord between the petitioner and the de facto complainant. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the injured has been discharged from the hospital. Considering the nature of the offence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain



conditions.

7. Accordingly, the petitioner is ordered to be released on 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 is made ready, before the **learned Metropolitan Magistrate Court, Kilpennathur**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fail to surrender before the concerned learned 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 two weeks 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.

10.03.2026

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To

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- 1.The Metropolitan Magistrate Court, Kilpennathur
- 2.The Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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