



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.8929 of 2026

Mala
C/o.Thiyagu,
No.32/2, Kannadasan Nagar,
3rd Street, Sirukalathur, Madhurantakam,
Chengalpattu District - 603 306.

...Petitioner/Accused

Vs

The State,
Inspector of Police,
G1 Madhuranthakam Police Station,
Chengalpattu District.
(Crime No. 144 of 2026)

...Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of her arrest in connection with Crime No.144 of 2026 on the file of the Respondent Police.

For Petitioner:

Mr.A.J.Magendiraverman

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)



ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 296(b), 115(2), 118(1) of the Bharatiya Nyaya Sanhita (BNS), 2023, r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.144 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to a parking dispute, the petitioner abused the *de-facto* complainant and her daughter in filthy language and attacked them with hands and sticks. Due to this, the *de-facto* complainant sustained injuries and was admitted to the hospital. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and she has not committed any offence as alleged by the *de-facto* complainant and she has been falsely implicated in this case. He further submitted that the injuries sustained by the *de-facto* complainant are simple in nature and she has been discharged from the hospital on the same day, and there is also a counter case against the *de-facto* complainant. He also submitted that the petitioner is a woman, and she is ready to abide by any stringent condition that may be imposed by this Court and the petitioner is ready to cooperate for 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's case and, upon instructions, submitted that there is a case registered against the *de-facto* complainant; and that the injured was discharged from the hospital on the same day. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the submission made by the learned counsel on either side and perused the materials available on record.

6. The entire contestation surfaced only on account of the parking issue, and this is also a case and case in counter. Even the learned Government Advocate (Crl.Side) would fairly submit that though the *de-facto* complainant sustained injury, she was discharged on the same day, as she was not willing to continue the treatment. Hence, taking into consideration of the totality of the circumstances and upon the further fact that the injured has been discharged and there is also a case and case in counter and that the petitioner being a woman, at this length of time, the custodial interrogation of the petitioner is not required. Therefore, 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 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 is made ready, before the **learned Judicial Magistrate – I, Maduranthakam**, 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 report before the respondent police, twice a day at 10.30 a.m., and 5.30 p.m., for a period of one week and thereafter, as and when required for the 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



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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.

09-04-2026

dk

To

1. The Judicial Magistrate – I,
Maduranthakam.
2. The Inspector of Police,
G1 Madhuranthakam Police Station,
Chengalpattu District.
3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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