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CRL OP No. 8990 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8990 of 2026

Goindhammal,
W/o.Seenivasan,
No. 262, Keel Pudur,
Ambur Taluk,
Palur,
Tirupattur District.

..Petitioner/A2

Vs

State Rep. by
The Inspector of Police,
Ambur Taluk Police Station,
Tirupattur District.
Cr.No.67/2026.

...Respondent/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of BNSS r/w 438 of Cr.P.C., to enlarge the petitioner on bail in the event of arrest in Crime No.67 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Sanjay

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



ORDER

The petitioner/A2, who apprehends arrest for the alleged offences under Sections 296(1), 115(2), 109(1) of the BNS Act, 2023, in Crime No.67 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A2, along with the other accused, abused the *de-facto* complainant and his husband in filthy language and assaulted the *de-facto* complainant's husband with a stick. Due to this, the *de-facto* complainant's husband sustained injuries and was admitted to the hospital. Hence, the case.

3. The learned counsel for the petitioner/A2 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 also submitted that the alleged occurrence took place on 06.03.2026 and the FIR was registered on 07.03.2026. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and the petitioner is ready to cooperate for 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 the injured was discharged from the hospital. 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 learned counsel for the petitioner/A2 would submit that the occurrence took place on 06.03.2026 and the FIR was registered on 07.03.2026, and according to the prosecution, the first accused assaulted the *de-facto* complainant's husband with a knife, and the present petitioner assaulted him with a stick. Though the *de-facto* complainant's husband sustained severe injuries and was admitted in the hospital between 08.03.2026 and 13.03.2026, the only *overt act* against this petitioner/A2 is that she has assaulted the legs and back of the *de-facto* complainant's husband, that too by stick. Hence, taking into consideration of the *overt act* played by the petitioner and upon the fact that the petitioner being a woman and upon the further fact that the *de-facto* complainant's husband has been discharged from the hospital, 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, Ambur**, 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 fifteen (15) days 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 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.

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Copy to:

1. The Judicial Magistrate,
Ambur.
2. The Inspector of Police,
Ambur Taluk Police Station,
Tirupattur District.
3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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