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CRL OP No.9758 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9758 of 2026

Mrs.Deepa Viswanathan
W/o.Viswanathan,
No.5 GU Martain Apartment,
Anna Pathai Perur Road,
Selvapuram,
Coimbatore – 641 026.

..Petitioner/Accused

Vs

The State rep by,
The Inspector of Police,
Selvapuram Police Station,
Coimbatore City,
Coimbatore,
Crime No.47 of 2026.

...Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with the Crime No.47 of 2026 on the file of the respondent police.

For Petitioner :

Mr. Dinesh M

For Respondent:

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



ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 329(3), 324(4), 296(b), 115(2), and 351(3) of the BNS Act, 2023, in Crime No.47 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to the land dispute, the petitioner, along with other accused, attacked the *de-facto* complainant with their hands. Due to the same, the *de-facto* complainant sustained injuries. 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 alleged occurrence took place on 14.06.2025. However, the FIR came to be registered on 09.02.2026 and the co-accused is already released on bail in CrI.O.P.No.7512 of 2026 dated 30.03.2026. 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 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 would submit that the occurrence took place on 14.06.2025. However, the FIR came to be registered on 09.02.2026, and the co-accused is already released on bail in Crl.O.P.No.7512 of 2026 dated 30.03.2026. The entire allegation has emanated due to the land dispute. This factum was not seriously disputed by the learned Government Advocate (Crl.Side).

7. While perusing the earlier order passed in Crl.O.P.No.7512 of 2026, dated 30.03.2026, this Court granted anticipatory bail to the co-accused on the ground that, having the occurrence took place during 2025, there was a huge delay in the registration of the FIR. Therefore, this Court would like to give parity to the present petitioner as that of the co-accused, and this Court is also of the firm view that, at this length of time, no custodial interrogation of the



petitioner is required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions:

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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 is made ready, before the **learned Judicial Magistrate – V, Coimbatore**, 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 two weeks 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.

20-04-2026

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Copy to:

1. The Judicial Magistrate No.V,
Coimbatore.
2. The Inspector of Police,
Selvapuram Police Station,
Coimbatore City,
Coimbatore.
3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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