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CRL OP No. 9725 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. 9725 of 2026

Kala

..Petitioner(s)

Vs

State represented by
The Inspector of Police,
Pappireddipatti Police Station,
Dharmapuri District.
(Crime No.36 of 2026).

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on anticipatory bail in the event on their arrest by the Respondent Police in Crime No.36/2026 on the file of the Respondent police.

For Petitioner(s): Mr.J.Pradeep

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Section 103 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.36 of 2026, seek anticipatory bail.



2. According to the prosecution, on 11.03.2026 at approximately 11:25 pm, a dispute over property escalated between the sons of the petitioner (A2). It is alleged that A1 attacked the deceased with a brick and an iron rod, resulting in his death. Based on the complainant lodged by the wife of the deceased, the respondent police registered a case and the petitioner has been arrayed as A2.

3. The learned counsel for the petitioner would submit that the petitioner is the mother of the deceased and was not present at the scene of occurrence. He further submitted that she only became aware of the incident later. He further contended that the petitioner has been falsely implicated in the present case and that, in any event, custodial interrogation is not required.

4. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the A1 attacked the deceased with a brick and an iron rod due to a property dispute, and caused his death. He further states that the petitioner was arrayed as an accused based on the complaint, which alleges she was present at the scene of occurrence. He further submitted that the petitioner has no bad antecedents.



5. Considering the totality of the circumstances, the fact that the petitioner is a woman with no prior bad antecedents, and since custodial interrogation is not deemed necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

6. 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 Judicial Magistrate, Pappireddipatti, 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 likesum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner(s) fails 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;



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(c) The petitioner(s) shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(d) the petitioner(s) shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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]***;

(f) If the petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
Jeni



To

- 1.The Judicial Magistrate, Pappireddipatti.
- 2.The Inspector of Police, Pappireddipatti Police Station, Dharmapuri District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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