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CRL OP No. 9400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9400 of 2026

P Santhi
W /o Pachiappan,
No. 66 Mariyamman Kovil 2nd Street,
Seelnayakkanpatti,
Salem-636006.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Thirupporur Police Station,
Chengalpattu District.
(Crime No. 49 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner/Accused-A2 on Anticipatory Bail in the event of her arrest in Crime No.49 of 2026 on the file of the Respondent/Complainant and pass orders or any other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr. Vijay Anand

For Respondent(s): MR.P.DHILEEPAN,
GOVT.ADVOCATE (CRL SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b) and 351(2) of BNS r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.49 of 2026 on the file of the



respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that the defacto complaint was in a relationship with the petitioner's son and had advanced money for the purchase of a house. However, the amount was neither repaid nor utilized for the said purpose, leading to a dispute, during which the petitioner, being the mother of the first accused, was also involved. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the first petitioner had already been enlarged on bail on 16.03.2026 in Crl.OP.No.6685 of 2026 and that the second petitioner is only the mother of the first petitioner, Hence, he opposed to grant anticipatory bail to the petitioner.

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



6. Taking into consideration the totality of the circumstances and the fact that the FIR was came to be registered on 17.03.2026 and there is no specific allegation against the petitioner, and considering that the petitioner is a woman aged 50 years, this Court is of the firm view, that custodial interrogation of the petitioner is not required. Hence, 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 his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Thirupporur**, 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 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 shall report before the respondent police 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.

16-04-2026

DRL

To

1.The District Munsif cum Judicial Magistrate,
Thirupporur.

2.The Public Prosecutor,
High Court, Madras.

3.The Inspector of Police,
Thirupporur Police Station,
Chengalpattu District.
(Crime No. 49 of 2026)



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C.KUMARAPPAN, J.

DRL

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