



WEB COPY

CRL OP No. 10060 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10060 of 2026

Kavitha

..Petitioner

Vs

State by,
The Sub Inspector of Police,
F-2, SIPCOT Police Station,
Tiruvallur, TamilNadu.
(Crime No. 80 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of her arrest in Crime No.80 of 2026 pending on the file of the Respondent.

For Petitioner: Mr.S.Senthil Kumar

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

For Intervenor: Mr.R.Parthiban

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 296(b), 118(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and r/w Section 4 of TNPHW Act in Crime No.80 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that due to matrimonial dispute between the petitioner and the defacto complainant's son, the petitioner along with other accused persons assaulted the defacto complainant. Due to which, the defacto complainant sustained serious injuries. Hence, the case was registered.

3. The learned counsel for the petitioner submitted that the occurrence took place on 10.03.2026 and the allegation against the petitioner is that she assaulted the de facto complainant, who is none other than the Mother-in-law of the petitioner. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and she is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. At this juncture, the learned Govt Advocate (Crl.Side) submitted that at the time of occurrence, the petitioner thrown the lock upon the de facto complainant and de facto complainant sustained simple injury and treated as Out patient and discharged from hospital. 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.



6. Considering the facts and circumstances of the case and upon the relationship between the petitioner and the de facto complainant and upon the further fact that the injured has been discharged from the hospital and that the petitioner being a woman, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, 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 Court, Gummudipoondi**, 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;

(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of one week and thereafter, 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.

21-04-2026

SHL

To

1. The Sub Inspector of Police,
F-2, SIPCOT Police Station,
Tiruvallur, TamilNadu.

2. The Public Prosecutor
High Court of Madras.

3. The District Munsif Cum Judicial Magistrate Court, Gummudipoondi.



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C.KUMARAPPAN, J.

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