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Crl.O.P.No.12271 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.No.12271 of 2026

Lakshmi
W/o. Balaraman,
No.2087, Jadagondapuram Village,
Padavedu, Polur Taluk,
Kesavapuram Post,
Tiruvannamalai District.

... Petitioner/Accused

Versus

State represented by
The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District
(Crime No.77 of 2026)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in the event of her arrest, by the Respondent police in Crime No.77 of 2026 on the file of the Inspector of Police, Santhavasal Police Station, Tiruvannamalai District.

For Petitioner : Mr.S.Silambu Selvan
For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

ORDER

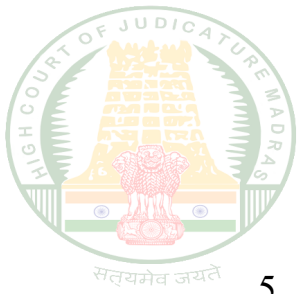
This Criminal Original Petition has been filed by the petitioner on 12.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 296(b), 115(2), 118(1), 351(2), 74 of BNS, 2023, r/w Section 4 of Tamil Nadu Prohibition of Harassment or Woman (Amendment) Act, 2002, on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant's land is situated adjacent to the petitioner's land. On 06.05.2026 at about 10.30 am, due to previous enmity between the defacto complainant and the petitioner regarding a boundary dispute, the petitioner and the defacto complainant were involved in a quarrel. During the course of the quarrel, the petitioner allegedly abused the defacto complainant using filthy language, and both parties assaulted each other. As a result, the defacto complainant sustained injuries. Hence, the case.

4. Mr.S.Silambu Selvan, the learned counsel for the petitioner submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



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5. *Per contra*, Mr.V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that, due to a boundary dispute, a wordy quarrel arose between the petitioner and the defacto complainant, during which the petitioner attacked the defacto complainant, as a result of which the defacto complainant sustained injuries. He further submits that the injured was admitted to the hospital as an in-patient and was discharged on the same day, and that there are no previous cases against the petitioner.

6. Heard on both sides. This Court has perused the materials available on record.

7. Considering the facts and circumstances of the case, the nature of the offences; and that the petitioner has permanent residence and deep roots in society; there is less possibility of absconding; and further considering that the injured has been discharged from the hospital; and that there are no previous cases against the petitioner; and with a view to give one more opportunity to reform herself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:



(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of her surrender before the **learned Judicial Magistrate, Polur** within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the **learned Judicial Magistrate, Polur**.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The **learned Judicial Magistrate, Polur** shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) **The petitioner shall appear and sign before the respondent Police, twice a week, on Mondays and Fridays at 10.00 a.m, until further orders;**

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to



issuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Polur.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Polur or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by her as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]***.



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The learned Judicial Magistrate, Polur.
2. The Inspector of Police,
Santhavasal Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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