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CRL OP No. 12831 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12831 of 2026

Sargunadevi

..Petitioner(s)

Vs

The State Rep by
Inspector of Police,
Sankari Police Station,
Salem, Crime No.113/2026.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.113 of 2026 pending on the file of the Respondent Police.

For Petitioner(s): Mr.R.Thamarai Selvan

For Respondent(s): Mr.R.Vinothraja,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.03.2026 for the offences punishable under Sections 296(b), 109(1) @ 296(b) and 103(1) of BNS Act in Cr. No.113 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that, due to land dispute between neighbours, the petitioner along with her husband attacked the defacto complainant with stones, thereby causing his death. Hence, the case.

3. The learned counsel for the petitioner submitted that the respondent police have registered a false case against the petitioner. The petitioner is under judicial custody since 23.03.2026. He further submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Therefore, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that A1, who is the husband of the petitioner/A2 has been released on bail by this Court in Crl.O.P.No.12521 of 2026 and that there are no previous cases pending against the petitioner. However, he vehemently opposed the grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side, the nature of the offences alleged against the accused, and since the co-accused has been released on bail and the investigation of the case has almost been completed,



and considering the period of judicial custody undergone by her, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Sankari** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



bail by the learned Magistrate/Trial Court himself as laid down by
the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala
[(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be
registered under Section 269 B.N.S.2023.

14-05-2026

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

TSG

Note:

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



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To

1. The Inspector of Police,
Sankari Police Station,
Salem, Crime No.113/2026.
2. The Judicial Magistrate No.I, Sankari
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent,
Central Prison, Salem.



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P.DHANABAL, J.

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