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CrI.O.P.No.13418 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

CrI.O.P.No.13418 of 2026

Vijaya
W/o.Danasekaran

... Petitioner/
Accused -3

Vs.

State rep. by
The Inspector of Police,
Puzhal Police Station,
Chennai.
(Crime No.364 of 2026)

...Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the Petitioner on pre-arrest bail in the event of the arrest in Crime No.364 of 2026 on the file of the Respondent police.

For Petitioner : Mr.R.Ashok Kumar

For Respondent : Mr.S.Yogaraja Sekar
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition has been filed by the Petitioner on 19.05.2026 for the alleged offence under Sections 296(b), 132, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and 4(1-A) of Tamil Nadu Prohibition Act, 1937 in Crime No.364 of 2026, praying to grant an order of pre-arrest bail.

2.The case of the prosecution is that based on the discreet information on 30.04.2026, the Respondent Police while checking, one Suriyakanth (A1) and one Karthick (A2) were involved in selling of alcohol illegally and both of them started to abuse the Respondent Police in a filthy language and threatened with dire consequences and they have illegally possessed 20 brandy bottles worth of Rs.2,800/-. Further, based on the confession statement given by the co-accused, a case has been registered against the Petitioner. Hence, the complaint.

3.The learned Counsel for the Petitioner submitted that the Petitioner is a woman, she is innocent and she has been falsely implicated in this case. He further submitted that the Petitioner is ready to abide by any stringent condition imposed by this Court and hence, he prayed for grant of pre-arrest bail to the Petitioner.

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4.The learned Government Advocate (Criminal Side) appearing for

the Respondent Police submitted that Petitioner has 8 previous cases, which is similar in nature. He further submitted that no recovery was made from the Petitioner. Hence, he opposed for grant of pre-arrest bail to the Petitioner.

5.Heard both sides. This Court has perused the records.

6.Considering the facts and circumstances of the case, the nature of the offences, the Petitioner has permanent residence and there is less possibility of absconding and with a view to give one more opportunity to reform herself, this Court is inclined to grant an order of pre-arrest bail to the Petitioner subject to the following conditions.

(i) The Petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the learned District Munsif cum Judicial Magistrate, Madhavaram, within a period of 15 days from today, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) along with two sureties each for a like sum of Rs.25,000/- to the satisfaction of the learned District Munsif cum Judicial Magistrate, Madhavaram.

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(ii) **The Petitioner shall appear and sign before the Respondent-**

Police, daily at 10.00 a.m., until further orders;

(iii) 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 District Munsif cum Judicial Magistrate, Madhavaram shall obtain a copy of any one of their identity proofs to ensure their identity;

(iv) The petitioner shall furnish her residence address and mobile number to the learned District Munsif cum Judicial Magistrate, Madhavaram;

(v) The Petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vi) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Madhavaram is entitled to pass appropriate orders against the Petitioner in accordance with law as if the aforementioned conditions are imposed by them 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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7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

22.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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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 official website of this Court will be watermarked and will also have a QR code.**

To

1. The District Munsif cum Judicial Magistrate,
Madhavaram.
2. The Inspector of Police,
Puzhal Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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R.SAKTHIVEL, J.

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