



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13882 of 2026

Sameem Banu D/o. Liyagahali,
24/4, Vivehananda Salai,
Vettukattu Valasu, Nasiyanur Road,
Veerappanchatiram, Erode.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
GH Police Station,
Erode District.
[Cr.No.17 of 2026]

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the Petitioner on bail in Crime No.17 of 2026 pending on the file of the respondent police.

For Petitioner(s): M/S. T.Balaji

For Respondent(s): Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.04.2026 for the alleged offences under Sections 127(2), 115(2), 351(3), and 123 of B.N.S. and Section 4 of TNPHW Act in Crime No.17 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that due to previous enmity, the petitioner along with other accused, had confined the defacto complainant at a lodge at Mettur Road and assaulted and threatened her with dire consequences and also the accused were found in possession of 160 Tapentadol Hydrochloride tablets for illegal sale. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is A2, that she is an innocent and being a woman, she has been under incarceration since 07.04.2026 and she has not committed any offence as alleged by the prosecution. He would further submit that due to previous enmity between the parties, the present complaint came to be filed and hence prays for grant of bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police would submit that there is a proposal for detention order against A1 and hence opposed the bail application.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions made by the learned Government Advocate, the overt act played by the petitioner is that she assaulted the defacto complainant



by hands and legs and the defacto complainant was restrained in a room.

However, as against A1, the Government has already proposed to invoke detention order. Though as against A1, there are serious allegations, the overt act played by this petitioner is that she assaulted the defacto complainant using hands and legs. Hence taking into consideration of the above overt act, considering the long incarceration of the petitioner since 07.04.2026 and upon considering the fact that the petitioner, being a woman, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

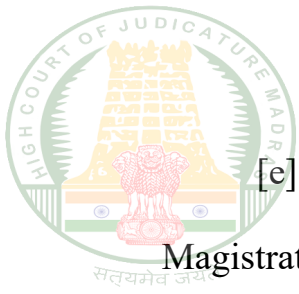
7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **Judicial Magistrate No.II, Erode** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders;

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]:

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

05-06-2026

MJS

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.

To

1. The Judicial Magistrate No.II, Erode.
2. The Inspector of Police, GH Police Station, Erode District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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