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CRL OP No. 16418 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16418 of 2026

S.Banu

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
S8, Adambakkam Police Station,
Chennai.
Cr.No.112 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner herein on bail in the event of her arrest in Cr.No.112/2026 on the file of the Respondent Police.

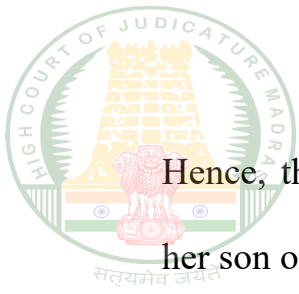
For Petitioner(s): P.Arumugavel

For Respondent(s): R.S.Indira
Government Advocate (Crl.side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 305(a) of B.N.S. in Crime No. 112 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that defacto complainant is the landlord of the petitioner. It is alleged that defacto complainant had kept a sum of Rs.50,000/- under their bed. When they went to take the money, it was missing.



Hence, the defacto complainant lodged a complaint against the petitioner and her son on suspicion.

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3. The learned counsel for the petitioner submitted that the petitioner is a tenant under the defacto complainant. He further submits that petitioner is an innocent and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submitted that she is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, considering the totality of the circumstances and the nature of allegation against the petitioner, it is seen that initially, one gold stud belongs to defacto complainant was missing.



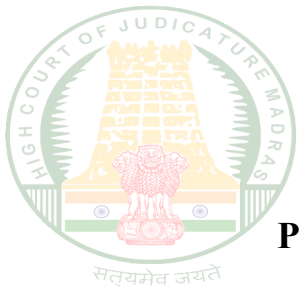
Subsequently, the same was traced from the petitioner's house. While being so, the petitioner again took Rs.50,000/- from the defacto complainant's house.

Though this is a case of theft, the petitioner is a tenant of the defacto complainant and the petitioner, being a woman, this Court is of the firm view that the custodial interrogation of the petitioner is not required for investigation. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Alandur, Chengalpattu District**, 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;



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(c) The petitioner shall report before the respondent Police 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.

29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To:

1. The Judicial Magistrate-II, Alandur, Chengalpattu District

2. The Inspector of Police,
S8, Adambakkam Police Station,
Chennai.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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