Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30484 of 2026

CNR: {HCMA012526342026}

R.Sarumathi

..Petitioner(s)

Vs

The Sub Inspector of Police
Kavarapettai Police Station,
Thiruvallur District.
Crime no.272 of 2026.

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS praying to enlarge the petitioner on bail in the event of her arrest in Crime no.272 of 2026 pending investigation on the file of the Respondent and pass such or further orders as this Honourable Court may deem fit and proper in the circumstances of the case.

For Petitioner(s): Mr.N Jayachander

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

For Intervenor Mr.R.Ashok Kumar

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ORDER

The petitioner apprehends arrest for the alleged offences under Sections 296(b), 318(4) and 351(3) of BNS in Crime No.272 **of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the husband of the de facto complainant and Accused No. 2 (A2) were engaged in an illicit relationship and residing together separately. It is further alleged that they criminally intimidated the de facto complainant. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, a false case has been foisted against him, and he has not committed any offence as alleged by the prosecution. He further submitted that divorce proceedings are pending between the parties, and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

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

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5. I have given my anxious consideration to either side submissions.

6. Considering the nature of the allegations and the fact that the dispute between the parties is matrimonial in nature, this Court is of the firm view that, custodial interrogation of the petitioner is not required. 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 District Munsif cum Judicial Magistrate, Gummidipoondi** 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 slip (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 is 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.

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

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To

1. The District Munsif cum Judicial Magistrate,
   Gummidipoondi

2. The Sub Inspector of Police
   Kavarapettai Police Station,
   Thiruvallur District.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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