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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.34905 of 2025

Prema

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
T-12, Poonamallee Police Station,
Chennai.
(Crime No.888 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.888 of 2025 on the file of the respondent police.

For Petitioner : Ms.Saritha Sivakumar

For Respondent : Ms.J.R.Archana,
Government Advocate (Crl. Side).

ORDER

The petitioner herein apprehending arrest at the hands of the
respondent police for the offences punishable under Sections 296(b), 351(3),
316(2), 318(4), 408, 79 & 74 of BNS, 2023 in Crime No.888 of 2025, seeks
anticipatory bail.



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2. The allegation against the petitioner is that she is the wife of A1 in this case. It is alleged that she, along with her husband, developed business contacts with the defacto complainant and collected a sum of Rs.28.94 lakhs, promising to return the same along with profits and 120 sovereigns of gold. Subsequently, it is alleged that they failed to return the money and share the profits. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is only the wife of A1 in this case and has been falsely implicated. It was further submitted that she had no role in the alleged offence. Hence, she prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl Side) reiterated the prosecution case and submitted that A1 was arrested and remanded to judicial custody, and that the investigation is still pending. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials available on record.



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6. Considering the nature of the allegations, the fact that the specific overt act is attributed only to A1 and not to the petitioner, that only A1 was arrested in this case, and the petitioner is being a lady, this Court is inclined to grant anticipatory bail to the petitioner with 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Poonamallee**, on condition that the petitioner shall execute 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 learned Magistrate concerned, and on further condition that:

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix her 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 her identity;



[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] 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]**;

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

02.01.2026

kmm



To

1. The Judicial Magistrate No.I, Poonamallee.

2. The Inspector of Police,
T-12, Poonamallee Police Station,
Chennai.

3. The Public Prosecutor,
High Court of Madras.





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K.RAJASEKAR, J.

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