



CRL OP(MD). No.4365 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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C.Sasikala

... Petitioner/
Accused No.2

Versus

The State through
The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
(In Crime No.44 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of her arrest or surrender in Crime No.44 of 2026 on the file of the respondent police.

For Petitioner : Mr.R.Prakash

For Respondent : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police in Crime No.44 of 2026 for the offences punishable under Sections 420, 468, 471 of Indian Penal Code and Section 12 of Passport Act, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant/ Stephen is the brother of A-1 namely, Justin, the petitioner had obtained the passport in which mistakenly the name of her husband has been mentioned as Stephen. Hence, the said brother of A1, namely Stephen gave a complaint to the respondent police and receiving the same the case has been registered.

3. The learned counsel for the petitioner would submit that it is true that a mistake had occurred in the passport with regard to the name of the husband. Subsequently, in accordance with the prescribed procedure, the name was corrected and a fresh passport was obtained. The learned counsel has also produced the relevant records to



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substantiate the said contention. Hence, he seeks the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, on instructions from the officer concerned, would submit that though the said mistake was subsequently rectified, at the time of making the application the same was made intentionally. Therefore, he strongly opposed the grant of anticipatory bail to the petitioner.

5. This Court considered the submissions on either side and perused the materials available on record.

6. According to the learned counsel for the petitioner, the mistake was only inadvertent and the same was subsequently rectified by following the due legal procedure. Now, there is no reference to the defacto complainant's name in the passport of the petitioner. In such circumstances, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions:



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7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of her 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, Thuckalay, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. for a period of 15 days and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]*; and

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

11.03.2026

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To

1. The Judicial Magistrate,
Thuckalay.
2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.K.RAMAKRISHNAN,J.

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ORDER
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