



CRL OP(MD). No.5416 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Esakkiyammal

... Petitioner / Accused No.4

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
(Crime No.64 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.64 of 2026 on the file of the respondent police or on her appearance.

For Petitioner : Mr.S.Balasubramanian

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.64 of 2026 for the offence punishable under Sections 126(2), 296(b), 109(1), 118(1), 115(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, seeks anticipatory bail.

2. The case of the prosecution is that on 29.01.2026, during the Pongal festival, a political song was played. When the brother of the defacto complainant questioned the same, the accused persons, due to this motive, attacked the defacto complainant, causing various injuries. Accordingly, a case has been registered against the accused persons for the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court.



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Accordingly, he prayed for the grant of anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is also involved in the occurrence, and that the main accused had been arrested and subsequently released on bail. Accordingly, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the facts and circumstances of the case, and also considering the fact that the main accused has already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and 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 on which the order made



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ready, before the learned Judicial Magistrate Court, Ambasamudram, 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 fifteen days and thereafter, as and when required for interrogation;

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

(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



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conditions have been imposed and the petitioners 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.

16.03.2026

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To

- 1.The Judicial Magistrate Court,
Ambasamudram.
- 2.The Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli 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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