



CRL OP(MD). No. 6743 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 22.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6743 of 2026

Kalavathi

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
CCB Police Station,
Madurai City
Madurai District
(Crime No. 64 of 2025)

...Respondent

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Prbhu

For Intervenor : Mr.T.Aswin Rajasimman

For Respondent : Mr.M.Karunanidhi
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 64 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

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The petitioner, who apprehend arrest at the hands of the respondent

for the offences punishable under Sections 318(4) and 351 (3) of BNS in Crime No.64 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a Administrative Director of Viswas Promotoers and engaged in construction and sale of buildings. While so, on 03.08.2024 the defacto complainant has published an advertisement in Dinamalar newspaper about the sale of plot at Ponmeni. Further on seeing the advertisement A1 contacted the defacto complainant has stated 2 plots be transferred to A1 by promising that he would arrange for underground sewage facilities, road and drinking water connection for the said project through Madurai Corporation on his political influence. On believing the words of A1, the defacto complainant has registered two plots measuring an extent of 5187sq.ft by sale deed dated 12.09.2024 for the value of Rs.77,02,695/- in the name of the petitioner who is the wife of the first accused. Subsequently as A1 failed to fulfil the promise made the defacto complainant approached him asking for the same, wherein A1 threatened him with dire consequences. Hence the case.

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3. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and. She has not committed any offence as alleged by the prosecution. He would further submit the defacto complainant is trying to give criminal colour to the civil dispute. He would further submit that the petitioner was earlier granted interim bail by this Court till 01.04.2026, however while considering the bail application of A1, dismissed the bail petition of this petitioner. This Court has not stated anything about the interim bail granted to the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that believing the words of A1, the defacto complainant has registered two plots measuring an extent of 5187sq.ft by sale deed dated 12.09.2024 for the value of Rs.77,02,695/- in the name of the petitioner who is the wife of the first accused. Subsequently A1 failed to fulfil the promise made the defacto complainant while he approached him and asked for the same, at that time A1 threatened him with dire consequences and investigation is pending. Already this Court dismissed the bail petition and once the bail is dismissed the petitioner ought to have surrendered before the trial Court since she was

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already granted interim bail till 01.04.2026. Hence , he opposes to grant anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervenor objected to grant anticipatory bail to the petitioner on the ground that the first accused is the husband of the second accused and the first accused assured that he would arrange necessary approvals and infrastructure facilities and believing the said false representation the defacto complainant induced to transfer two plots in favour of A2 who is the wife of A1 and also paid Rs.50,00,000/- to the accused.

6. Heard both sides and perused the materials available on record.

7. There is no contravention that this Court already granted interim bail to the petitioner till 01.04.2026 through an order dated 26.02.2026 and thereafter on 23.03.2026 this Court dismissed the bail petition filed by the petitioner without considering the interim bail already granted by this Court. There is no direction passed by this Court to surrender before the concerned Court and this petitioner also already undergone incarceration for considerable period and investigation is also almost completed thereby the



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petitioner was granted interim bail till 01.04.2026. However prior to the lapse of interim bail period the main petition itself was dismissed on merits.

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Once the bail is declined to the petitioner she ought to have surrendered before the trial Court, there is no scope to entertain the anticipatory bail application since she was already in custody and interim bail granted to the petitioner was only upto 01.04.2026 . After dismissal of the bail petition the petitioner ought to have surrendered before the Court and she should have approached this Court for consideration of bail, however the petitioner has not surrendered before the Court as any observation made by this Court about the interim bail therefore anticipatory bail petition is not maintainable. However already the petitioner was in incarceration and this Court also granted interim bail, thereby it is appropriate to direct the petitioner to surrender before the concerned jurisdiction Magistrate along with bail application. At the moment of acceptance of surrender the petitioner is in judicial custody and thereby the trial Court can grant bail to the petitioner. After surrender of the petitioner the trial Court shall consider the bail application of the petitioner taking into consideration the interim bail already granted by this Court and already the incarceration suffered by the petitioner and the completion of investigation and to pass appropriate orders on the same day in accordance with law.



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8. With the above direction the Criminal Original Petition stands disposed of.

(P D B J)
22.04.2026

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To

- 1.The Judicial Magistrate No.I, Madurai District
- 2.The Inspector of Police,
CCB Police Station,
Madurai City
Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

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ORDER
IN
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Date : 22.04.2026