

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,
District and Sessions Judge, Mayiladuthurai.

State of Tamil Nadu.

Thursday, this the 12th day of March 2026.

Crl.M.P. No. 324/2026

A1. Babilamary, W/o. Rajarathinam.

A2. Flora, W/o. Balayugabarathi @ Baskar.

... Petitioners/Accused.

Vs

State through the Inspector of Police,

Porayar P.S., in Cr. No. 635/2025

... Respondent/Complainant

U/s. 296(b), 118(1), 74, 351(3) of BNS.

This petition came up today for the hearing in the presence of Thiru. S. Sankaranarayanan, Advocate for the Petitioner and Tmt. A. Aruna on behalf of the Public Prosecutor for the State and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

ORDER

1. This is a petition filed U/s. 482 of BNSS, 2023.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. The learned counsel for the petitioners/Accused submitted that the respondent police has registered a case against the petitioners for the offences U/s. 296(b), 118(1), 74, 351(3) of BNS. The alleged occurrence is said to have taken place on 15.12.2025. The co-accused/A1 has already enlarged on bail. Injured person discharged from the hospital. The petitioners are innocent and they did not commit any offences as alleged by the prosecution. Due to civil dispute, the *defacto complainant* has given false complaint against the petitioners. The petitioners apprehend arrest at the hands of police and they are ready to abide by any conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioners.

4. The Learned Public Prosecutor argued that the defacto complainant and the petitioners are living in the adjacent house. As per the case of the prosecution, there was a civil dispute existed between both the parties. On 15.12.2025 at 08.40 PM the petitioners made quarrel with the defacto complainant with regard to cutting of trees, in which the petitioners and the co-accused scolded the defacto complainant in filthy language, assaulted her using iron rod and wooden and with bare hands over various places of the body, pushed her down and kicked her and criminally intimidated her before leaving the place. Hence, the case. Injured person discharged from the hospital. Investigation is pending. He made objections to grant anticipatory bail to the petitioners.

5. This court carefully considered the submission made by either side. The petitioners against whom the case was registered in Cr. No. 635/2025 apprehending arrest at the hands of the respondent police and filed this petition for pre arrest bail. From the perusal of records it comes to light that the case was registered on 17.12.2025 and A1 was already remanded to judicial custody later enlarged on bail. In this case investigation is completed and the final report also filed before the District Munsif cum Judicial Magistrate, Tharangambadi. Considering that the petitioners are woman and the investigation is completed, this court is inclined to grant pre arrest bail to the petitioners with the following conditions,

In the result, this petition is allowed. Consequently, in the event of arrest or on their surrendering before the Court concerned the petitioners ordered to be enlarged on anticipatory bail on their execution of 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 District Munsif cum Judicial Magistrate, Tharangambadi and on further conditions that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.

(ii) The petitioners should surrender before the Court concerned within 15 days from the date of receipt of copy of this order.

(iii) the petitioners shall report before the Inspector of Police, Respondent P.S daily at 10.30 a.m. for a period of 30 days.

(iv) The petitioners should co-operate for the investigation and should not threaten the witnesses.

(v) the petitioners shall not abscond either during investigation or trial.

(vi) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(vii) On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]*.

(viii) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in the Open Court on the 12th day of March 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The District Munsif cum Judicial Magistrate, Tharangambadi.
2. The Inspector of Police, Porayar P.S.
3. The Petitioner through his counsel.