

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI****PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,****Principal Sessions Judge, Pudukkottai.****Saturday the 07<sup>th</sup> day of March, 2026**

Criminal Miscellaneous Petition No:550/2026

{CNR No.TNPD01-0009882026}

\*\*\*\*\*

Maheshwari @ Mangalam, W/o. Muthuraman.

....Petitioner/Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police,  
Mimisal Police Station,  
Cr.No.23/2026.

... Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. A.Karuppaiah, Learned Advocate appearing for the Petitioner and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

**ORDER**

This e-petition is filed by the petitioner U/s.482 of Bharatiya Nagarik Suraksha Sanhita (BNSS)-2023, praying for anticipatory bail.

Notice was issued. Reply was filed by the prosecution.

The Learned Counsel for the petitioner submits that the petitioner is being charged for offences U/s. 296(b), 118(1), 351(2) of BNS Act in Cr.No.23/2026 of Mimisal Police Station and she has not committed any offences as alleged and she has been falsely implicated in this case due to civil dispute and also submits that the complainant was not injured and had not in medical treatment. He further submits that there is no anticipatory bail application pending before the Hon'ble Madras High Court and the petitioner is ready to abide by any condition imposed by this court and hence, he seeks anticipatory bail for the petitioner.

The Learned Public Prosecutor submits that the petitioner made a quarrel with the de-facto complainant due to civil dispute, he caused injury to the de-facto complainant and had used filthy languages against him. He further submits that the injured person was discharged on 26.02.2026 and now the accused was absconded and thereafter investigation is still pending hence, he opposed to grant anticipatory

bail in favour of the petitioner.

**With regard to anticipatory bail**, this court relied upon a case law reported in AIR 1980 SC. 1632 rendering by our Hon'ble Supreme Court of India in a case of Shri Gurbaksh Singh Sibbia Vs.State of Punjab, wherein it has been held as follows:-

**“The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail.”**

Rival submissions are taken into consideration. Records perused. The occurrence is said to have taken place in between the parties, he caused injury to the de-facto complainant. The injured person was discharged on 26.02.2026. The only Non-bailable offence is section 118(1) of BNS. It seems that the material part of investigation would have been almost completed by this time. By considering the above aspects, other facts and circumstances of the case, nature of offences and in view of the decision cited supra and in the absence of any serious objection on the side of the prosecution, this court is of the view that the petitioner can be granted anticipatory bail.

In the result, this Anticipatory Bail Petition is allowed with the following conditions:-

- 1) In the event of arrest or on his appearance before the Jurisdictional Magistrate, the petitioner is ordered to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Jurisdictional Magistrate,
- 2) The petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and also submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their identity,
- 3) The petitioner shall appear before the Station House Officer of Respondent Police station daily at 10.30 a.m. for a period of 15 days (including holidays) from the next day of execution of bond before the Jurisdictional Magistrate, without fail and thereafter, as and when required for interrogation,.

- 4) The petitioner shall comply with the conditions stipulated u/s 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023 scrupulously,
- 5) The petitioner shall surrender before the Jurisdictional Magistrate within 30 days from the date of this order, failing which, this anticipatory bail order shall stand cancelled automatically without any further reference to this court.
- 6) On breach of any of the above said conditions, the Jurisdictional Magistrate is entitled to take appropriate action against the petitioner in accordance with law as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala reported in (2005) AIR SC W 5560
- 7) If the petitioner thereafter absconds, a fresh FIR can be registered under section 269 of BNS.
- 8) The Station House Officer of Respondent P.S. is directed to send a report to this court as to compliance of reporting condition by the petitioner.

Pronounced by me in Open Court, this the 07<sup>th</sup> day of March, 2026.

**Principal Sessions Judge,  
Pudukkottai.**

**Copy to:**

The District Munsif cum Judicial Magistrate, Manamelkudi.  
The Inspector of Police, Mimisal P.S.,  
The Counsel for the petitioner.