

(2025) 12 MAD CK 0025

Madras HC

Case No: Criminal Original Petition No. 33149 Of 2025

Saranya

APPELLANT

Vs

State

RESPONDENT

Date of Decision: Dec. 3, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023-Section 3(5), 109, 125, 126(2), 296(b), 191(2), 191(3), 269, 351(3)

Hon'ble Judges: K. Rajasekar, J

Bench: Single Bench

Advocate: P.Chandra Sekar, A.Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 15.11.2025, for the alleged offence punishable under Section 191(2), 191(3), 126(2), 296(b), 109, 125, 351(3) r/w.3(5) BNS Act in Crime No.735 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is ranked as A6 in this case. On instigation of this petitioner, other accused attacked the defacto complainant with knife indiscriminately and caused severe injuries. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is a lady and is in custody from 15.11.2025. He further submitted that the petitioner is not having any previous cases, the victim is discharged from the hospital and the same was also recorded in the order passed by the Sessions Judge. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the victim is still in hospital and sustained severe injuries in this case. Hence, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the fact that the petitioner is a lady and is in custody from 15.11.2025 and there is no specific overt act attributed against her in the FIR, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing 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 Judicial Magistrate-II, Ponneri, and on further conditions that:-

[a] 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 report before the respondent police daily at 10.30 a.m., for a period of two weeks.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.