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CrI.O.P.No.19813 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

CrI.O.P.No.19813 of 2024

Ramesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
(Crime No. 183 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, pending investigation, in Crime No.
183 of 2024 on the file of the respondent Police.

For Petitioner : M/s.M.Bhavani

For Respondent : Mr.S.Vinothkumar
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 20.07.2024, for the alleged offences punishable under Sections 194 of
BNSS @ 108 of BNS, 2023, in Crime No.183 of 2024, on the file of the



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respondent police, seeks bail.

2. The case of the prosecution is that on 18.07.2024 at about 4.30 p.m, when the defacto complainant's sister called the phone of the defacto complainant and told him that her husband, Ramesh was quarrelling with her and to arrange money for her to pay Magalir loan. The defacto complainant told her that he wouldl arrange for the same. While being so, on 19.07.2024 at about 9.40 a.m., the petitioner called the defacto complainant and told him that his wife and his two children had hanged themselves and died. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, only on the basis of suspicion, he has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He would further submit that the petitioner was arrested and is in judicial custody for more than 50 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioner is the husband of the deceased person. He further submit that on the date of the alleged occurrence, the petitioner consumed alcohol, and there was a wordy quarrel between the deceased and the petitioner, regarding a money dispute, for which, the deceased along with her daughter committed suicide by hanging. He further submit that the petitioner has no previous case, pending against him and the investigation is almost completed. However, he opposed to grant bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either side, and considering the period of incarceration undergone by the petitioner, and considering that there is a dispute between the deceased and the petitioner, and the petitioner has no previous cases pending, and also considering that investigation is almost completed and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate No.I, Krishnagiri, and on further conditions that:-

[a] the petitioner shall report before the respondent police, everyday at 10.30 a.m., until further orders.

[b] the petitioner shall not commit any offences of similar nature.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Judicial 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



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Section 269 BNS.

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drl

To

- 1.The Judicial Magistrate No.I,
Krishnagiri.
- 2.The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
- 3.The Superintendent,
Sub Jail, Salem.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

drl



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