



Crl.O.P.No.25536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

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

Crl.O.P.No.25536 of 2024

Deelip @ Deelipkumar

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.
(Crime No. 262 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.262 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.08.2024, for the alleged offence punishable under Sections 296(b),
115(2), 351(2), 108 of BNS 2023 @ 296(b), 115(2), 351(2) of BNS @



Crl.O.P.No.25536 of 2024

296(b), 115(2), 351(2), 108 of BNS, in Crime No.262 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.08.2024 at about 3.30 p.m., while the husband of the defacto complainant was walking on the road, the petitioner abused the defacto complainant's in filthy language and assaulted him with hands, subsequently, the petitioner pushed him down, causing injuries to the back of his head. It is further alleged that the defacto complainant's daughter had ran away and she was now living with the petitioner's uncle, for which, the petitioner insulted him, as a result, the defacto complainant's husband committed suicide by hanging. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and 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 from



Crl.O.P.No.25536 of 2024

26.08.2024 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 respondent police submitted that on the date of the alleged occurrence, the petitioner abused the deceased with filthy language and assaulted him with hands. He further submits that the defacto complainant's daughter is now living with the petitioner's uncle, due to this, the petitioner insulted the deceased, for which, the deceased committed suicide by hanging. He further submitted that the petitioner has no previous case, pending against him. 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 nature of offence charged against the petitioner, considering the period of incarceration undergone by the petitioner, the petitioner has no previous case pending against him, and also considering all



Crl.O.P.No.25536 of 2024

others factors, 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 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, Thiruchengode, and on further conditions that:-

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

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond either during investigation or trial;

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



Crl.O.P.No.25536 of 2024

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]; and

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

18.10.2024

drl

To

- 1.The Judicial Magistrate,
Thiruchengode.
- 2.The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.
- 3.The Superintendent,
Sub Jail, Thiruchengode.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



WEB COPY



Crl.O.P.No.25536 of 2024

drl

Crl.O.P.No.25536 of 2024

18.10.2024