



Crl.O.P.No.577 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.577 of 2025

Perumal

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.
(Crime No.590 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.590 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Selvakumaraswamy

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.590 of 2024 registered under 194 of BNSS and later, altered to the offences punishable under Sections 103(1) of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 19.12.2024, pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is the husband of the victim/deceased and he has no intention or motive to cause death of his wife, however, the incident had happened only during the family dispute. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that due to family dispute, the petitioner, who is the husband of the victim/deceased, had assaulted his wife, resulting in her death. He further submits that initially the case was registered under Section 194 of BNSS and later, altered to one under Section 103(1) of BNS and the case is under investigation.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand**



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only) with two sureties, each for a like sum to the satisfaction of the learned

Judicial Magistrate, Cheyyar, 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 stay at Chennai and report before the Inspector of Police, E5, Foreshore Estate Police Station, everyday at 10.30 a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent Police, until further orders;

[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 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]***;



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A.D.JAGADISH CHANDIRA.,J.

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

09.01.2025

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To

1. The Judicial Magistrate,
Cheyyar.
2. The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.
3. The Superintendent,
Central Prison,
Vellore.
4. The Inspector of Police,
E5, Foreshore Estate Police Station,
Chennai.
5. The Public Prosecutor,
High Court of Madras.

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