



Crl.O.P.No.1101 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

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

Crl.O.P.No.1101 of 2025

Natrayan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Karumathampatti Police Station,
Coimbatore District.
(Crime No.184 of 2019).

... Respondent

Prayer : Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with Crime No.184 of 2019, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Veerasekharan

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

ORDER

Petition seeking bail in respect of Crime No.184 of 2019 registered for the offences punishable under Sections 279 and 304(A) of IPC and later altered into Sections 201 & 302 of IPC, is on board for consideration.



Crl.O.P.No.1101 of 2025

WEB COPY

2. 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 based on the complaint given by one Vijayasri on 15.11.2024 that her father viz., Elangovan was brutally murdered by three unknown persons, the case in Crime No.526 of 2024 came to be registered under Section 103(1) of BNS. During the course of investigation, the respondent had arrested one Amirtharaj/A1 and recorded his confession statement.

2.2. From the confession statement recorded from the first accused, it came to light that the first accused along with Elangovan/deceased and others had murdered his wife by hitting her with Eicher van and projected the same as road accident (which was registered in Crime No.184 of 2019 on the file of the respondent police based on the complaint lodged by the first accused under Section 279 and 304(A) of IPC) and on account of which, he had filed an MCOP petition and received compensation from the Court.

2.3. Thereafter, since there was a dispute between the said Amirtharaj/A1 and the deceased Elangovan concerning the sharing of the



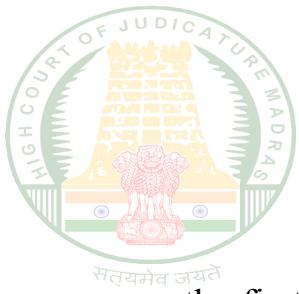
CrI.O.P.No.1101 of 2025

WEB COPY

compensation amount, the said Elangovan/deceased had threatened the first accused stating that he would disclose others about the pre-planned murder and also informed the son of the first accused, who was born to A1 through his first wife. Thereby, in order to prevent the said Elangovan from disclosing the truth behind the death of his first wife, A1 conspired along with his second wife, engaged other accused and murdered the said Elangovan.

2.4. Meanwhile, the respondent had filed a charge sheet in Crime No.184 of 2019 and the same was taken up on the file of the learned Judicial Magistrate, Sulur. Later, based on the alleged confession statement, the respondent had altered the offence in Crime No.184 of 2019 to one under Sections 201 and 302 IPC and arrested the other accused. Further, the respondent has filed a petition under Section 173(8) of Cr.P.C in M.P.No.2 of 2024 in C.C.No.168 of 2019 seeking permission for further investigation of the case in C.C.No.168 of 2019 and the petition was also ordered on 07.12.2024. The case now stands posted for appearance of the accused on 07.03.2025.

2.5. The petitioner/A3 herein is the brother of one Elangovan, who was the deceased in Crime No.526 of 2024, and he had also conspired with

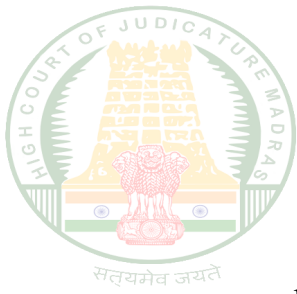


Crl.O.P.No.1101 of 2025

the first accused in committing murder of the first wife of A1. Therefore, if the petitioner is released on bail at this stage, there is every possibility of him absconding and not available for further investigation.

3. The incarceration of the petitioner being from 13.12.2024 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 further submits that the petitioner has nothing to do with the alleged offence and even in the complaint registered in Crime No.184 of 2019, the de facto complainant/A1 had not disclosed about the presence of the petitioner at the time of the alleged accident. He also submits that the petitioner has no bad antecedents and due to the enmity with the brother of the petitioner, who is the deceased in Crime No.526 of 2024, the first accused had implicated the petitioner in this case. He also submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter filed by the



Crl.O.P.No.1101 of 2025

WEB COPY

respondent Police 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 only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Sulur, Coimbatore**, 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, Triplicane Police Station, everyday at 10.30 a.m., 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



WEB COPY



Crl.O.P.No.1101 of 2025

in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

A.D.JAGADISH CHANDIRA.,J.

ham

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

28.01.2025

ham

To

1. The Judicial Magistrate, Sulur,
Coimbatore.
2. The Inspector of Police,
Karumathampatti Police Station,
Coimbatore District.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Triplicane Police Station,
Chennai.

Crl.O.P.No.1101 of 2025