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Crl.OP.No.1577 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.1577 of 2025

1. Ramasamy

2. Umarani

... Petitioners /Accused

Vs.

State Rep. by
Inspector of Police,
Erumapatty Police Station,
Namakkal District.
(Crime No.226 of 2024)

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail on event of their arrest in connection with crime no.226 of 2024 on the file of the respondent police.

For petitioners : Mr.I.Periaswamy

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



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 194 BNSS altered to Sections 115(2) and 108 of BNS, 2023, in Crime No.226 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's grandson, was married to A1, that on 14.12.2024, A1 and her parents allegedly abused defacto complainant's grandson and his family leading to their humiliation and mental distress, that as a result, they committed suicide. The petitioners are alleged to have accompanied A2 and A3 to the victim's house before the incident. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are relatives of Accused A1 and they have nothing to do with the alleged offence. He would further submit that the petitioners are innocent persons and they have not committed any offence as alleged by the



prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, submitted that the petitioners are relatives and Accused A1 and that Accused A2 is still in custody. He would further submit that due to the actions of Accused A1, the deceased, namely her husband and in-laws, committed suicide. He also further submitted that there are no previous cases pending against the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the nature of allegation; the fact that the petitioners are relatives of A1; there is no previous case pending against the petitioners; and that custodial interrogation of the petitioners is not required for the



purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Senthamangalam, Namakal District, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;
- [c] the petitioners shall not abscond either during



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investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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*** reported in [(2005)AIR SCW 5560];

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

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No

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SUNDER MOHAN, J.
skr

To

1. Inspector of Police,
Erumapatty Police Station,
Namakkal District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Judicial Magistrate, Senthamangalam,
Namakkal District.

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