



Crl.O.P.Nos.1666 & 1986 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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

Crl.O.P.Nos.1666 & 1986 of 2025

Kalaivani ... Petitioner in Crl.O.P.No.1666 of 2025

Veerasamy ... Petitioner in Crl.O.P.No.1986 of 2025

Vs.

The State represented by,  
The Inspector of Police,  
Karumathampatti Police Station,  
Coimbatore District.

(Crime No.526 of 2024). ... Respondent in both Crl.O.Ps.

**Common Prayer :** Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with Crime No.526 of 2024, pending investigation on the file of the respondent Police.

For Petitioner in Crl.O.P.No.1666 of 2025 : Mr.Dharani

For Petitioner in Crl.O.P.No.1986 of 2025 : Mr.S.Prabhakar

For Respondent in all Crl.O.Ps. : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)



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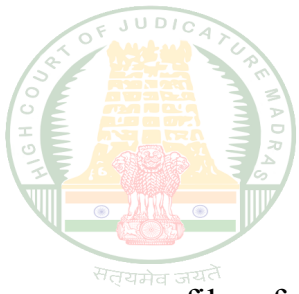
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### **COMMON ORDER**

Petition seeking bail in respect of Crime No.526 of 2024 registered for the offences punishable under Section 103(1) of BNS, is on board for consideration.

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



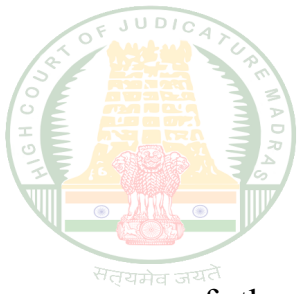
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file of the respondent police based on the complaint lodged by the first accused under Section 279 and 304(A) of IPC) and on account of which, he had filed an MCOP petition and received compensation from the Court.

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



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of the case in C.C.No.168 of 2019 and the petition was ordered on 07.12.2024.

2.5. Thereafter, in Crime No.526 of 2024, the petitioners herein were arrested. The petitioner in Crl.O.P.No.1986 of 2025 is one of the assailants, who had murdered the father of the de facto complainant and he was also identified by the de facto complainant in the identification parade and further, he has one previous case. He further submits that the case is still under investigation.

3. The incarceration of the petitioners being from 18.11.2024 and 19.11.2024 respectively pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court.

4. Learned counsel for the petitioner in Crl.O.P.No.1666 of 2025 submits that the petitioner, who is the second wife of the first accused, had married the first accused after the death of his first wife and she was not aware of the fact that the death of his first wife is due to a pre-planned murder. He further submits that the petitioner was arrested in this case since



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she happens to be the wife of A1 and she has nothing to do with the alleged offence. He also submits that since both the petitioner and her husband are in judicial custody, there is no one to take care of their children. Hence, he prayed for grant of bail to the petitioner.

5. Learned counsel for the petitioner in Crl.O.P.No.1986 of 2025 submits that the petitioner is in no way connected with the alleged offence and he was implicated in this case only based on the confession statement recorded from the first accused. He further submits that even the name of the petitioner does not find place in the First Information Report. He also submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

6. Having heard the learned counsel for the petitioners and 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 petitioners, this Court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are



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ordered to be released on bail on their executing separate bond each 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 in **Crl.O.P.No.1666 of 2025** shall report before the respondent Police, everyday at **10.30 a.m., until further orders;**

[c] the petitioner in **Crl.O.P.No.1986 of 2025** shall stay at Vellore and report before the Inspector of Police, Sathuvachari Police Station, everyday at **10.30 a.m., until further orders;**

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] 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



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Court himself as laid down by the Hon'ble Supreme Court  
in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

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

28.01.2025

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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,  
Sathuvachari Police Station,  
Vellore.



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**A.D.JAGADISH CHANDIRA.,J.**

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