



Crl.O.P.No.2687 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2687 of 2025

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... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sathanur Dam Police Station,
Tiruvannamalai District.
(Crime No.269 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.269 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.Harish

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.12.2024, seeking bail in Crime No.269 of 2024 registered for the offence under Sections 194 of BNSS altered into Sections 309(4) & 103(1) of BNS.



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2. The allegation against the petitioner is that the petitioner had murdered his mother-in law for gain, initially a case was registered under Section 194 of BNS subsequently altered into Sections 309(4) & 103(1) of BNS.

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 further submitted that the case is based on circumstantial evidence and that the petitioner is in custody from 22.12.2024 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner has committed grievous offence causing death of his mother-in-law for gain and that no indulgence can be shown against the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. Considering the nature of allegation, period of incarceration and that since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, Thandarampattu** 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 report before the respondent Police, 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;



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[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]***;

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

04.02.2025

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To

1. The Judicial Magistrate,
Thandarampattu.
2. The Inspector of Police,
Sathanur Dam Police Station,
Tiruvannamalai District.
3. The Superintendent,
Vellore Central Jail.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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