



WEB COPY



CRL OP NO. 2920 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2920 of 2025

1.VKrishnamoorthy
2.A.Udaiyakumar
3.S.Sivakumar
4.P.Gurumoorthy
5.K.Chandiran
6.A.Manikkam
7.R.Siva
8.S.Saranraj

petitioners

Vs

State Rep.By, The Inspector Of Police,
Thiurukovilur Police Station, Kallakurichi
District. Crime No. 10/2024

Respondent(s)

Prayer:-

This Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.10 of 2024 on the file of the respondent police.

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



WEB COPY



CRL OP NO. 2920 of 2025

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 174 of Cr.P.C @under Section 147, 294(b), 323, 384 and 506(1) of IPC, in Crime No.10 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the deceased was running a tea shop and was purchasing milk from the Driver of the 1st petitioner, who is a milk vendor; that the Driver stole the milk from the 1st petitioner; and that when the 1st petitioner questioned the deceased as to why he purchased the stolen milk, humiliated him and demanded Rs.3,00,000/-, the deceased felt humiliated and fearing harassment committed suicide. Hence, the case.

3. The learned counsel for the petitioners submitted that the the entire prosecution case is offence under Section 306 of IPC which is the major offence. But it is made out that since the first petitioner had questioned



CRL OP NO. 2920 of 2025

the deceased, he had committed suicide and that the other petitioners have been falsely implicated in this case and they are also ready to abide by the conditions imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police per contra submitted that though FIR was registered under Section 174 Cr.P.C.on 04.01.2024, the offences was altered on 31.01.2025 to Sections 147, 294(b), 323, 364(A), 506(1) and 306 of IPC and hence, he opposed for grant of anticipatory bail to the petitioners.

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

6. Even accepting the prosecution case to be true, this Court is of the view that the prosecution has not produced any materials to prove the commission of any positive act on the part of the petitioners to abet the commission of suicide. Hence, considering the nature of the allegations and since custodial interrogation is not required, this Court is of the view



CRL OP NO. 2920 of 2025

that anticipatory bail can be granted the the petitioners subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Thirukoilur, Kallakurichi** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

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

[d] the petitioners shall not abscond 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 [(2005)AIR SCW 5560]**;



CRL OP NO. 2920 of 2025

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

06-02-2025

vca

Copy To

1. The Judicial Magistrate,
Thirukoilur, Kallakurichi

2. The Inspector Of Police,
Thiurukoilur Police Station,
Kallakurichi District.
Crime No. 10/2024

3. The Public Prosecutor,
High Court, Madras



WEB COPY



CRL OP NO. 2920 of 2025

SUNDER MOHAN,J.

Vca

CRL OP NO. 2920 of 2025

06.02.2025