



Crl.O.P.No.4302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4302 of 2025

Sineka

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Erumapatty,
Namakkal District.
(Crime No.226 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.226 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.I. Periyaswamy

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.12.2024 seeking bail in Crime No.226 of 2025 registered for the offence under Sections 194 of BNSS [174 of Cr.P.C] subsequently altered into Section 115(2), 108 of BNS, 2023 [323, 306 of IPC.



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2. The case of the prosecution is that, petitioner is the wife of the 1st deceased and the 2nd & 3rd deceased are in-laws and that the petitioner and the 1st deceased had matrimonial differences and that the petitioner had called her relative to come to house of the deceased and abused the 1st deceased in filthy language, humiliated by the said act, all the three deceased committed suicide.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to matrimonial dispute, false case has been foisted against her. He further submitted that, petitioner is in custody from 24.12.2024 and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and opposed for grant of bail to 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 allegations; period of incarceration; it is for the prosecution to establish in the trial that the petitioner committed a positive act to abet the commission of the suicide by the deceased and 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, Sendamangalam.**

[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.

19.02.2025

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To

1. Judicial Magistrate, Sendamangalam.
2. The Inspector of Police,
Erumapatty,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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