



Crl.O.P.Nos.5939 & 5951 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.5939 & 5951 of 2025

Tamilselvi

... Petitioner in Crl.O.P.No.5939 of 2025.

Pappathi

... Petitioner in Crl.O.P.No.5951 of 2025

Vs.

The State represented by,
The Inspector of Police,
Tiruchengode Rural Police Station
Crime No.37 of 2025

... Respondent in both Crl.O.Ps

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.37 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.S.Sengkodi

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

COMMON ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 08.02.2025, seeking bail in Crime No.37 of 2025 registered for the offence under Sections 204, 123 of BNS @ 204, 109, 61(2), 49 of BNS [170, 328, 307, 120(B), 109 of IPC].



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2. The case of the prosecution is that A2/petitioner in Crl.O.P.No.5939 of 2025 is the daughter-in-law of the victim; that A3/petitioner in Crl.O.P.No.5951 of 2025 is the mother of A2; that they had instigated A2's friend A1, who was working as Nurse to do away the victim; that, A1, in the guise of giving treatment as Government Nurse under the Scheme "Makkalai Thedi Maruthuvam", administered poison in the cooldrink to the victim, and that however the victim did not drink the cooldrink completely, and she continuously vomitted. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons; that they have been falsely implicated in this case; that the petitioners are in custody from 07.01.2025; and that since further custody is not required, the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the victim, who had taken treatment in the hospital, has now been discharged from the hospital.



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

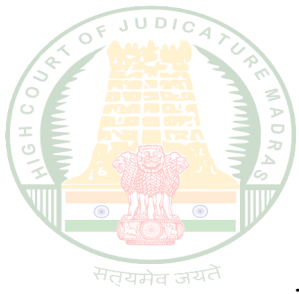
6. Considering the nature of allegations against the petitioners; period of incarceration; injured has been discharged from the hospital and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their 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, Tiruchengode.**

[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 [(2005)AIR SCW 5560]***;

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

04.03.2025

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To

1. Judicial Magistrate, Tiruchengode.
2. The Inspector of Police,
Tiruchengode Rural Police Station
3. The Superintendent,
Women Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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