



Crl.O.P.No.6126 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6126 of 2025

G.Ponnusamy

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
(Crime No.25 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.25 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.J.Johnsy Greeta

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 22.02.2025, seeking bail in Crime No.25 of 2025 registered for the offence under Sections 194 BNS @ 108 BNS 174 Cr.P.C @ 306 of IPC.



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2. The case of the prosecution is that the deceased and A1 are neighbours; there is a property dispute between the petitioner and the defacto complainant; that the petitioner had lodged a complaint against the defacto complaint before the respondent police; that the respondent police had demanded Rs.20,000/- for not taking any action against the defacto complainant; and that thereafter the defacto complainant had committed suicide by hanging. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false and that even according to the defacto complainant; the petitioner had not committed any positive act for the commission of the suicide by the deceased; that the petitioner is in custody from 22.02.2025; and that 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) reiterated the prosecution case and submitted that investigation is pending and the Department has taken action against the concerned Police Officer.



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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.

6. Considering, nature of allegation against the petitioner; period of incarceration; 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 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, Ponnagaram** 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 as and when required for interrogation;



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[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;

[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.

05.03.2025

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To

1. Judicial Magistrate, Ponnagaram.
2. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
3. The Superintendent,
Central Prison, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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