



Crl.O.P.No.6214 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.6214 of 2025

D.Ashik Jain

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
C-1, Flower Bazar Police Station,
Chennai.
(Crime No.17 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.17 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.I.Ramanathan

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 26.01.2025, seeking bail in Crime No.17 of 2025 registered for the offence under Sections 194(3) of BNSS @ 108 of BNS [306 of IPC]



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2. The case of the prosecution is that the deceased was the wife of the petitioner; that there is a matrimonial difference between them, as a result of which, deceased got upset and committed suicide by pouring kerosene and set herself ablaze. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any positive act for commission of suicide by the deceased; that the petitioner is in custody from 26.01.2025; 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 the RDO enquiry is pending and opposed for grant of bail.

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. On perusal of the FIR lodged by the mother of the deceased, it is seen that the petitioner and the deceased had matrimonial difference, as a result of which, deceased was upset and committed suicide.

7. 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.

8. 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 **VIII Metropolitan Magistrate Court, George Town at Chennai** 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



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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;

[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. VIII Metropolitan Magistrate Court, George Town, Chennai.
2. The Inspector of Police,
C-1, Flower Bazar Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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