



Crl.O.P.No.6140 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.6140 of 2025

Gopalrajan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Manimangalam Police Station,
Tambaram Taluk,
Kancheepuram District.
(Crime No.419 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.419 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Vijayanand

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 06.12.2024, seeking bail in Crime No.419 of 2024 registered for the offence under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023 [Section 302 of Repealed IPC, 1860]



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2. The case of the prosecution is that the deceased was the wife of the petitioner; that the deceased was having an affair with one Suresh; that on account of the same, petitioner had warned the deceased to sever that relationship; since the deceased did not heed to the request of the petitioner, the petitioner had strangled and caused her death. It is the further allegation case of the petitioner that, petitioner had informed the occurrence to the defacto complainant and thereafter surrendered before the respondent police. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case; that the petitioner is in custody from 06.12.2024; 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 also filed a detailed counter affidavit.



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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, Sriperumbudur** 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 orders;



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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, Sriperumbudur.
2. The Inspector of Police,
Manimangalam Police Station,
Tambaram Taluk,
Kancheepuram District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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