



WEB COPY

Crl.O.P.No.6644 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6644 of 2025

Gomathi

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.

(Crime No.37 of 2025)

... Respondent

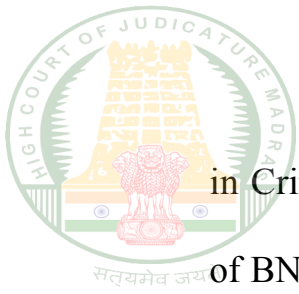
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.37 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Subash

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 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.

WEB COPY

2.It is the case of the prosecution that A2 is the daughter-in-law of the victim; that A3 is the mother of A2; that they had instigated A2's friend, the petitioner herein, who was working as Nurse to do away the victim; that the petitioner, in the guise of giving treatment as Government Nurse under the Scheme “Makkalai Thedi Maruthuvam”, administered poison in the cool drink to the victim and that however, the victim did not drink the cool drink and she continuously vomited. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that co-accused were granted bail by this Court in Crl.O.P.Nos.5939 & 5951 of 2025 on 04.03.2025; that the victim has been discharged from the hospital and that in any case, considering the period of incarceration, the petitioner may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the victim, who was taking treatment in the hospital, has now been discharged from the hospital.



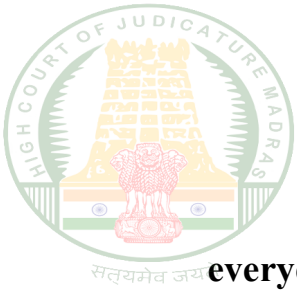
WEB COPY

5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the period of incarceration and the fact that the the victim has been discharged from the hospital, the similarly placed co-accused have been granted bail by this Court in Crl.O.P.Nos.5939 & 5951 of 2025 on 04.03.2025 and since further custody of the petitioner 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 her 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 **Judicial Magistrate, Tiruchengode**, 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;



WEB COPY

[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;

[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.

10.03.2025

ata



Copy to:

1. The Inspector of Police,
Tiruchengode Rural Police Station,
Namakkal District.

2. The Judicial Magistrate, Tiruchengode.

3. Women's Sub Jail, Salem.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY

Crl.O.P.No.6644 of 2



SUNDER MOHAN, J.

ata

Crl.O.P.No.6644 of 2025

10.03.2025