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Crl.O.P.No.6792 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.6792 of 2025

Arunkumar

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Veraiyur Police Station,
Thiruvannamalai District.
(Crime No.28 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.28 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.T.S.Sivakumar

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 14.02.2025, seeking bail in Crime No.28 of 2025 registered for the offence under Sections 108, 62, 85 of BNS read with 4 of TNPHW Act.



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2.The case of the prosecution is that the petitioner aged 19 years married the deceased girl aged 20 years and that after marriage, there was a physical relationship between them; that the petitioner abandoned the deceased thereafter, when the deceased came to know about the petitioner's illicit relationship with another girl; that upset with the conduct of the petitioner, the deceased committed suicide. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that in any case considering the period of incarceration and nature of allegations, further custody of the petitioner is not required and he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are two accused and that on instructions of the petitioner, the second accused called the victim girl and informed to dissolve the marriage with the petitioner, hence the victim girl committed suicide.



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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 the nature of allegations, period of incarceration 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 his 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 **Additional Mahila Court at Magistrate Level, Thiruvannamalai** 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 daily at 10.30.am., 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

rkp

Copy to:

1. The Inspector of Police,
Veraiyur Police Station,
Thiruvannamalia District.
2. The Additional Mahila Judge at Magisterial Level,
Thiruvannamali.
3. The Superintendent of Prison,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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