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Crl.OP.No.7321 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7321 of 2025

Porselvi

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
(H-3) Tondiarpet Police Station,
Chennai.
(Crime No.225 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.225 of 2025 on the file of the respondent Police.

For Petitioner : M/s.Venkateswara Babu

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 194(3) of BNSS altered to
Section 108 of BNS in Crime No.225 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner is the mother-in-law of the deceased; that there were matrimonial differences between the petitioner's son and the deceased; that on the date of occurrence, the petitioner's son, in an inebriated condition, had fought with the deceased and thereafter, the deceased went to her parents house and committed suicide by pouring kerosene and setting herself ablaze.

3. The learned counsel appearing for the petitioner would submit that the allegations are false; that there were matrimonial differences between the petitioner's son and the deceased and that the petitioner has not committed any positive act to abet the commission of suicide; that in any case, custodial interrogation of the petitioner is not required and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and opposed for the grant of bail to the petitioner.

5. The FIR disclosed the matrimonial differences between the



petitioner's son and the deceased. The alleged occurrence took place in the house of the defacto complainant, the mother of the deceased. Considering the aforesaid facts, custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned XV Metropolitan Magistrate, George Town, Chennai,** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 a.m., until further orders.**



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

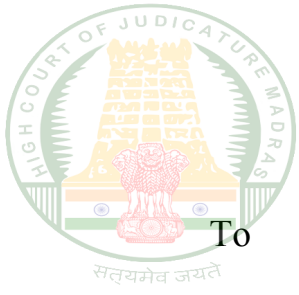
[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

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Index : Yes / No
Internet : Yes / No
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To

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- 1.The Inspector of Police,
(H-3) Tondiarpet Police Station,
Chennai.
- 2.The learned XV Metropolitan Magistrate,
George Town, Chennai.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN , J.



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