



Crl.O.P.No.7382 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7382 of 2025

Udhayakumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Paramathi Police Station,
Namakkal District.
(Crime No.23 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.23 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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 03.02.2025, seeking bail in Crime No.23 of 2025 registered for the offence under Sections 194 of BNSS altered into Sections 194 BNSS (Suspicious Death) @ 103(1) BNS (174 Cr.P.C @ 302 of IPC.



Crl.O.P.No.7382 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner had illicit relationship with the deceased, who is the wife of the defacto complainant; that on the date of occurrence, petitioner had attacked the deceased using iron rod and caused her death and thereafter he himself informed the police about the alleged occurrence. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false and in any case the petitioner is in custody from 03.02.2025; 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 opposed for grant of bail to the petitioner.

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.



WEB COPY

6. It is seen that initially the case was registered under Section 194 of BNSS(Suspicious Death) and thereafter the petitioner was arrested for the offence under Section 302 of IPC. The case is based on circumstantial evidence. Considering the nature of allegations, the 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 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 learned **Judicial Magistrate, Paramathi** 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;

[c] the petitioner shall not abscond either during investigation or trial;



CrI.O.P.No.7382 of 2025

WEB COPY

[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.

20.03.2025

Sma

To

1. Judicial Magistrate, Paramathi.
2. The Inspector of Police,
Paramathi Police Station,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.7382 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.7382 of 2025

20.03.2025