



Crl.O.P.No.7556 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7556 of 2025

Basavaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Berigai Police Station,
Krishnagiri District.
(Crime No.28 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.28 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.R.Shafiq Ahamed

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 21.01.2025, seeking bail in Crime No.28 of 2025 registered for the offence under Sections 108 of BNS Act [306 of IPC].



Crl.O.P.No.7556 of 2025

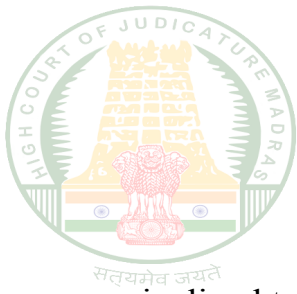
WEB COPY

2. The case of the prosecution is that, petitioner is the husband of the 1st deceased and father of the 2nd deceased; that the petitioner/A1 had illicit affair with A2, due to which there were a frequent quarrel between the deceased wife and the petitioner; that on the date of occurrence, petitioner abused and assaulted the 1st deceased, due to which both the deceased committed suicide. 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 21.01.2025 and since further custody is not required, the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that there is no suicide note by the deceased; investigation in this case almost completed.

5. Considering the nature of allegations against the petitioner; the fact that the investigation is almost completed; the period of incarceration; and since further custody is not required for the purpose of investigation, this Court is



Crl.O.P.No.7556 of 2025

inclined to grant bail to the petitioner with certain conditions.

6. 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 No.I, Hosur.**

[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;

[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]***;



CrI.O.P.No.7556 of 2025

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can
be registered under Section 269 B.N.S.

14.03.2025

Sma

To

1. Judicial Magistrate No.I, Hosur.
2. The Inspector of Police,
Berigai Police Station,
Krishnagiri District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.7556 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.7556 of 2025

14.03.2025