



Crl.O.P.No.7961 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7961 of 2025

Thirumoorthy

... Petitioner

Vs.

The State represented by,
The Station House Officer,
Kullanchavadi Police Station,
Cuddalore District.
(Crime No.401 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.401 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.C.Vishwanth

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 24.12.2023, seeking bail in Crime No.401 of 2023 registered for the offence under Sections 302, 376, 379, 354 @ 394, 302, 376 of IPC.



Crl.O.P.No.7961 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner raped and murdered the deceased and also took her gold jewels. 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 24.12.2023; 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 submitted that the charge sheet has been filed.

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 fact that the investigation has been completed and the final report has been filed; the period of incarceration and since further custody is not required, this Court is inclined to grant bail to the petitioner with certain conditions.



CrI.O.P.No.7961 of 2025

WEB COPY

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 **Sessions Judge Mahila Court, Cuddalore** 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 trial Court on all working day 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



Crl.O.P.No.7961 of 2025

WEB COPY

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.

07.04.2025

Sma
To

1. Sessions Judge Mahila Court, Cuddalore.
2. The Station House Officer,
Kullanchavadi Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.7961 of 2025

SUNDER MOHAN., J.

Sma

Crl.O.P.No.7961 of 2025

07.04.2025