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Crl.O.P.No.8846 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8846 of 2025

Thisai Easwaran @ Easwaran
S/o. Angusamy

....Petitioner/Accused-1

Vs

The State represent by
The Inspector Police,
Secretariat Colony Police Station,
Chennai
(Crime No.64 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.64 of 2025**, on the file of the
respondent police.

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



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ORDER

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The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 108 of BNS, 2023 (Section 306 IPC), in Crime No.64 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the victim, who is the grand father of the defacto complainant had purchased onions from the petitioner and was due to pay a sum of Rs.11,00,000/- ; that the petitioner demanded the victim to pay the said sum; that since the deceased was unable to pay, the petitioner had compelled the deceased to register a property in his favour; that the deceased also had borrowed money from three persons (A3 to A5) who demanded repayment of loan with exorbitant interest; that on 04.03.2025, A3 to A5 abused the deceased in filthy language, as a result of which, on 09.03.2025, the deceased consumed liquor with pesticides and died. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the allegations against the petitioner are false; that the victim was due to

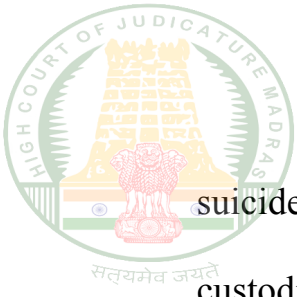


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pay money to the petitioner which is not under dispute; that the petitioner never abetted commission of suicide and even if the prosecution case is accepted to be true, the mere words uttered in a fit of anger would not amount to abetment of suicide and 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 produced a copy of the suicide note and also the dying declaration of the deceased and opposed to grant of anticipatory bail to the petitioner since he abetted the victim to commit suicide.

5. In the suicide note, the victim has stated that he was due to pay money to the petitioner and about the demand made by the petitioner with regard to transfer of property. Thereafter, in the note, the victim had stated that the petitioner and the others were the cause for his suicide. The allegations, even if accepted to be true, only reveals that the petitioner had demanded payment of money due to him. It is for the prosecution to establish in the trial that the petitioner had abetted the commission of



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suicide. Considering the nature of allegations, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, 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 made ready, before **the learned II Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each 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.



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[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., until further orders.

[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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

26.03.2025

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SUNDER MOHAN, J.

bga

To

1. The II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector Police,
Secretariat Colony Police Station,
Chennai
3. The Public Prosecutor, High Court, Madras.

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