



WEB COPY

Crl.O.P.No.10165 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.10165 of 2025

Magendiran

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

(Crime No.225 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.225 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Veera

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 26.02.2025, seeking bail



in Crime No.225 of 2025 registered for the offence under Section 194(3) of BNS, 2023.

WEB COPY

2.It is the case of the prosecution that the petitioner is the husband of the deceased; that there were matrimonial differences between two of them; that on the date of occurrence, the petitioner, 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. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that there were matrimonial differences between the petitioner and the deceased and that the petitioner has not committed any positive act to abet the commission of suicide; that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and opposed for the grant of bail.



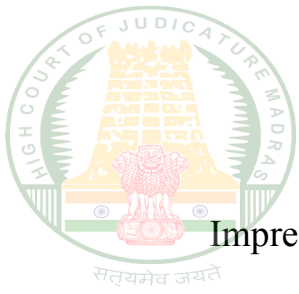
5.Heard the learned counsel on either side and perused the materials available on record.

WEB COPY

6.The petitioner is in custody from 26.02.2025. The FIR discloses the matrimonial differences between the petitioner and the deceased. The alleged occurrence took place in the house of the defacto complainant, the mother of the deceased.

7.Considering the aforesaid facts, period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

8.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 **XV Metropolitan Magistrate Court, George Town**, 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;

[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.

07.04.2025

ata



Copy to:

1.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

2.The XV Metropolitan Magistrate Court, George Town.

3.Saidapet Prison.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY

CrI.O.P.No.10165 of 2



SUNDER MOHAN, J.

ata

CrI.O.P.No.10165 of 2025

07.04.2025