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Crl.O.P.No.10889 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.10889 of 2025

Selvarasu

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Marudhur Police Station,
Cuddalore District.

(Crime No.19 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.19 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Selvam

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 05.03.2025, seeking bail



in Crime No.19 of 2025 registered for the offence under Section 194(1) of BNSS, 2023 @ 135(1)(A) of IE Act, 2003 and Sections 105 and 238 of BNS, 2023.

2.It is the case of the prosecution that the deceased is the defacto complainant's elder son and he was working as a bus conductor; that on 02.03.2025, the deceased went to meet his friend and he did not return home; that thereafter, the defacto complainant and her husband searched for him; that on 04.03.2025, the villagers informed the defacto complainant that a dead body was found in Murattu Canal; that they went there and identified their son; after enquiry, it came to the light that the deceased got electrocuted and died in the land of the petitioner and the petitioner had thrown the dead body in the Canal. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; and that the petitioner is in custody from 05.03.2025 and hence, further custody of the petitioner is not required and sought for bail.



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

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

6.Considering the nature of allegations, 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.

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 **Judicial Magistrate No.I, Chidambaram**, 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;

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

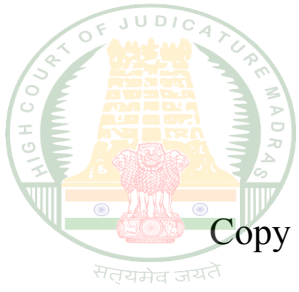
[d] the petitioner shall not tamper with evidence or witness either
during investigation or trial;

[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.

15.04.2025

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1. The Inspector of Police,
Marudhur Police Station,
Cuddalore District.

2. The Judicial Magistrate No.I, Chidambaram.

3. Sub Jail, Chidambaram.

4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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