



WEB COPY

Crl.O.P.No.11934 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.11934 of 2025

Chelladurai

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.

(Crime No.132 of 2023)

... Respondent

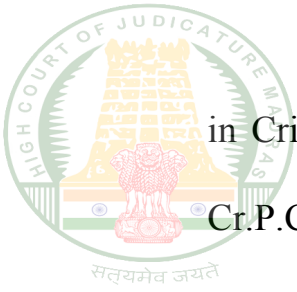
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.132 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Sivavarthanan

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 10.03.2025, seeking bail



in Crime No.132 of 2023 registered for the offence under Section 174 of Cr.P.C (Drowning) @ 302 of IPC.

WEB COPY

2.It is the case of the prosecution that the petitioner is the son-in-law of the defacto complainant; that on the date of occurrence, when the defacto complainant and her daughter went to their house, the defacto complainant's husband was found missing; that later when they went to their farm land, they found a dead body floating in the well; that thereafter, on enquiry, it came to light that the petitioner had committed murder of the deceased who is his father-in-law. Hence, the case.

3.The learned counsel for the petitioner would submit that this Court had earlier granted anticipatory bail to the petitioner and that since the said order was not communicated to the petitioner, he had surrendered voluntarily before the VAO and was remanded to judicial custody; and that the petitioner is in custody from 10.03.2025 and hence, further custody of the petitioner is not required.



WEB COPY

4.Per contra, the learned Government Advocate (CrI. Side) reiterated the prosecution case and submitted that in the website, it is shown that the case has been 'disposed of' and not as 'allowed'. Hence, the respondents could not inform the jurisdictional Magistrate accordingly.

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

6.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.

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 **Principal Sessions Court, Tiruppur**, 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.

WEB COPY

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

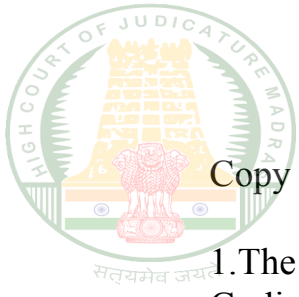
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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.

22.04.2025

ata



Copy to:

1. The Inspector of Police,
Gudimangalam Police Station,
Tiruppur District.

2. The Principal Sessions Court, Tiruppur.

3. The Superintendent of Prison, Central Prison, Coimbatore.

4. The Public Prosecutor, High Court, Madras.



WEB COPY

Crl.O.P.No.11934 of 2



SUNDER MOHAN, J.

ata

Crl.O.P.No.11934 of 2025

22.04.2025