



CRL O.P. No.11942 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 22.04.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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Gopalakrishnan S/o. Prakash ... Petitioner / Accused-8

Vs

State rep. by:-

The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District. ... Respondent
[Cr. No.63 of 2025]

PRAYER:- Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Cr.No.63
of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. A.M. Rahamath Ali

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate
[Criminal side]

ORDER

This Criminal Original Petition has been filed by the

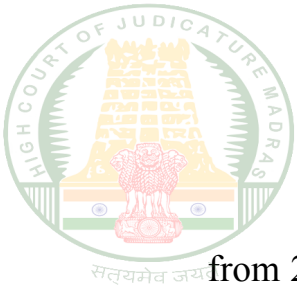


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petitioner/accused, who was arrested and remanded to judicial custody on 20.02.2025, seeking bail in Cr. No.63 of 2025 registered for the offences under Section 194(1) of B.N.S.S. altered to Sections 191(2), 191(3), 103(1), 238 and 127(2) of B.N.S.

2. The case of the prosecution is that due to previous enmity, at the instigation of A3, the accused 1 to 7 assaulted one Shruti, a transgender, using wooden log and committed murder; and that the petitioner, who is known to A3 and an auto driver, assisted the accused to dispose the dead body in a nearby reserved Forest area. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has nothing to do with the alleged murder; that even as per the prosecution case, A1 to A7 are alleged to have committed murder, at the instigation of A3 and the said A3 was granted bail by this Court; that all the other accused have been arrested; that the petitioner, who is arrayed as A8, is in judicial custody



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from 20.02.2025; that in any case, further custody of the petitioner is not required for the purpose of investigation; and that considering the period of incarceration of the petitioner, he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and objected for grant of bail.

5. Considering the nature of allegations, the period of incarceration and the fact that the co-accused was granted bail, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **Judicial Magistrate No.II, Vriddhachalam** and on



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further conditions that:

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[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]*;



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[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 B.N.S.

22.04.2025

mjs

To

1. The Judicial Magistrate No.II, Vriddhachalam.
2. The Inspector of Police,
Karuveppilankurichi Police Station,
Cuddalore District.
3. The Superintendent of Police, Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN. J.,

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