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Crl.O.P.No.11732 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 21.04.2025

PRONOUNCED ON: **29.04.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 11732 of 2025

V.S.Rameshkant

...Petitioner/A10

Vs.

The State Rep. by
The Inspector of Police,
Thiruvallangadu Police Station,
Tiruvallur District.
(Crime No.21 of 2025)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.21 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.John Sathyan, Sr. Counsel
for Mr.D.Veerakumar
For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

ORDER

The petitioner/A10, who apprehends arrest at the hands of the

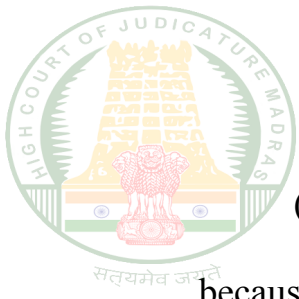


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respondent police for the offences punishable under 191(2), 191(3), 118(1), 103(2) r/w 61(2) of BNS in Crime No.21 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. (i) The case of the prosecution is that A7-Sandhya is the wife of the deceased; that A7 had illicit affair with one Lokesh(A6); that they along with other accused including this petitioner decided to eliminate the deceased, conspired with other accused and engaged A1 to A5 to commit the murder of the deceased; that the accused made it appear as an accident; and thus committed the aforesaid offences. The petitioner herein is arraigned as A10 in this case.

3. (i) Mr.John Sathyan, learned senior counsel for the petitioner would submit that the petitioner/A10 is a lawyer; that he has been falsely implicated in this case; and that admittedly this petitioner was not involved in the alleged assault and is said to be one of the conspirators, who had motive to cause the death of the deceased, since the petitioner had appeared for the wife of the petitioner in a matrimonial proceedings between two of them.



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(ii) The learned senior counsel further submitted that it is only because the petitioner had appeared against the deceased, the petitioner has been falsely implicated; that the petitioner is sought to be implicated only on the confession of the co-accused; that there is no other material to connect him with the alleged offence; that the co-accused have been released on bail; and that in any case, custodial interrogation is not required for the purpose of investigation and sought for anticipatory bail.

4. The learned Government Advocate (Crl.Side) *per contra* submitted that the petitioner also had motive to cause the death of the deceased; that he had also developed illicit relationship with Sandhya (A7), the wife of the deceased; that all the accused had entered into a conspiracy and engaged A1 to A5 to cause the death of the deceased, by making it to appear as an accident; and hence, opposed the grant of anticipatory bail.

5. This Court considered the rival submissions and perused the materials available on record.

6. It is not in dispute that the petitioner as a lawyer had appeared for



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the wife of the deceased in a matrimonial proceedings, pending between her and the deceased. The accused, one Sandhiya (A7) and one Lokesh (A6) are alleged to have conspired along with this petitioner and other accused to cause the death of the deceased. Admittedly, the petitioner was not involved in the alleged assault on the deceased. The accused who were involved in conspiracy including the said Sandhiya (A7) and her brother Shanmugam (A8) were arrested and released on bail by orders of this Court in Crl.OP.No.10630 of 2025 dated 09.04.2025.

7. The petitioner is a practicing lawyer. As stated earlier, except the confession of the co-accused, there is no other material to connect him with the conspiracy or the alleged assault. The prosecution had relied upon the statements of the witnesses, which discloses that since he had appeared for the wife of the deceased, there was prior enmity between the deceased and this petitioner.

8. Therefore, in the facts and circumstances of the case and considering the nature of the evidence and the allegations against this petitioner, this Court is of the view that custodial interrogation of the



petitioner may not be required for the purpose of investigation and hence, inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate No.I, Tiruvallur**, 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 said Magistrate, on further condition 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, daily at 10.30 a.m., until further orders;
- [c] the petitioner shall not abscond either during investigation or trial;



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[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*** reported in [(2005)AIR SCW 5560];

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

29.04.2025

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To

1.The Inspector of Police,
Thiruvalangadu Police Station,
Tiruvallur District.

2. The Public Prosecutor,
Madras High Court,
Chennai.

3.The Judicial Magistrate No.1,
Tiruvallur.



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SUNDER MOHAN, J.

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**Pre-delivery order in
Crl.O.P. No.11732 of 2025**

29.04.2025