



Crl.O.P.No.12679 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12679 of 2025

Arivazhakan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Pennagaram Police Station.

Crime No.50 of 2025.

... Respondent

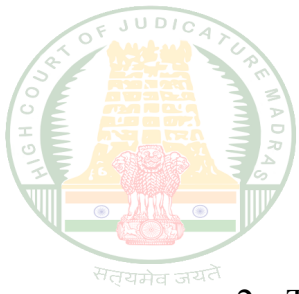
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.50
of 2025 pending on the file of the Respondent police.

For Petitioner : Mr.S.Senthil

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.02.2025, for the offence punishable under Sections 103, 305 and 64 of BNS in connection with Crime No.50 of 2025, registered on the file of the respondent, seeks bail.



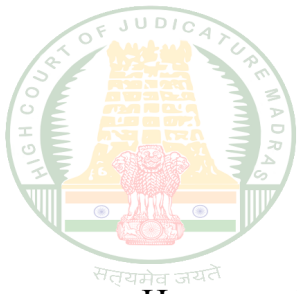
Crl.O.P.No.12679 of 2025

WEB COPY

2. The case of the prosecution is that the defacto-complainant is the husband of deceased Padmini and that on 14.02.2025, at about 08.15 p.m., the complainant had dinner and went for sleep and at that time, the deceased was speaking with someone over the phone and that on 15.02.2025, at about 08.00 a.m., when the complainant waking up the deceased, she was motionless and hence, the defacto-complainant invited one Sabari for help and when the said Sabari came, they again checked the deceased and found that she was dead and further, they found bleeding from her mouth and injuries under left ear and also found someone had theft some accessories of her thali Chain. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case. The petitioner is in judicial custody from 17.02.2025 and hence, further custody of the petitioner is not required. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that investigation in this case has been completed.



Crl.O.P.No.12679 of 2025

However, he opposed for grant of bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side, the fact that investigation has been completed and the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court, Pennagaram**, and on further conditions that:

a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the trial Court on all hearing dates without fail;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;



Crl.O.P.No.12679 of 2025

WEB COPY

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

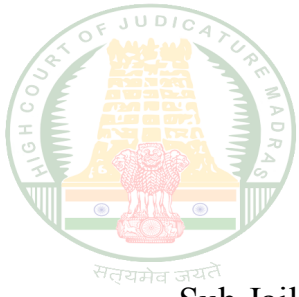
04.06.2025

ep

To

1. The Judicial Magistrate Court,
Pennagaram.
2. The Inspector of Police,
Pennagaram Police Station.
3. The Superintendent,

4/6



Crl.O.P.No.12679 of 2025

Sub Jail, Dharmapuri.

WEB COPY

4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

ep

Crl.O.P.No.12679 of 2025



WEB COPY



Crl.O.P.No.12679 of 2025

04.06.2025