



Crl.O.P.No.13746 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13746 of 2025

Jayanthi

... Petitioner

Vs.

State rep. by
The Inspector of Police
B-6, Mappedu Police Station
Tiruvallur District
Crime No. 43 of 2025

... Respondent

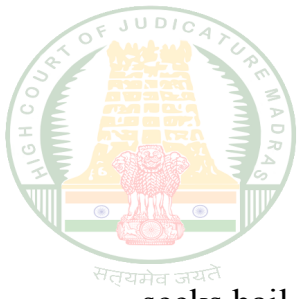
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No. 43 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.K.Nepolean

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.02.2025, for the offence punishable under Section 103(1) of BNS, 2023, in connection with Crime No.43 of 2025, registered on the file of the respondent,



Crl.O.P.No.13746 of 2025

seeks bail.

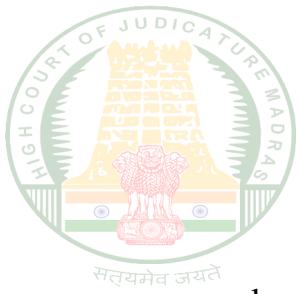
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2. The case of the prosecution is that the defacto complainant/ wife of the deceased, who is none other than the daughter-in-law of the petitioner, lodged a complaint alleging that the petitioner/mother of the deceased had poured petrol on her son and set fire, due to which, the defacto complainant's husband died in the hospital. Hence, the case.

3. It is seen that the petitioner's son was a drunkard regularly harassing his parents, abusing and assaulting them by many means to get money. On 24.02.2025, the deceased demanded the petitioner to secure a loan from Self Help Groups. When she refused to do the same, there was a wordy quarrel between the petitioner and the deceased. Thereafter, she is said to have poured petrol on him and set fire.

4. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, she is suffering incarceration from 24.02.2025. He further 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.

5. Learned Government Advocate (Criminal Side) appearing for the



CrI.O.P.No.13746 of 2025

respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there was a wordy quarrel between the petitioner and her son, due to which, she poured petrol on him and set fire. He submitted that the petitioner was arrested on 24.02.2025.

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

7. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 learned **Judicial Magistrate-II, Tiruvallur** 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 report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;



Crl.O.P.No.13746 of 2025

WEB COPY

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

[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.

14.05.2025

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CrI.O.P.No.13746 of 2025

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.II
Tiruvallur.
2. The Inspector of Police
B-6, Mappedu Police Station
Tiruvallur District
3. The Superintendent,
Women-Puzhal, Central Prison.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.13746 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.13746 of 2025

14.05.2025.