



Crl.O.P.No.14338 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14338 of 2025

1.Saridha

2.Velmurugan

... Petitioners

Vs.

State rep. by
Station House Officer
Sozhatharam Police Station
Cuddalore District
Crime No. 41 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No.41
of 2025 on the file of Sozhatharam Police Station, Cuddalore District.

For Petitioner : Mr.M.Ragul Kousik

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 06.04.2025, for the offence punishable under Sections 103(1), 324(3) @ 103(1), 324(3), 329(4) and 3(5) of BNS, 2023, in connection with Crime No. 41 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution as per the defacto complainant/VAO that she received a complaint on 05.04.2025 about the quarrel that had occurred in the deceased home. When the defacto complainant hurried to the deceased home, it was discovered that the petitioners had visited the deceased home and they had a quarrel because of the deceased illicit relationship with 1st petitioner's husband. Hence, the case.

3. It is seen that petitioners are arrayed as A1 and A4. The deceased is a sister of A1 and she had developed illicit relationship with A1's husband and started living separately. A4 is the brother of the deceased. The entire family of A1 got shattered by this development. A2 and A3, who are the minor sons of A1, are said to have been opened the door and A4 is said to have been strangled the deceased using a saree. It is also alleged that A4 aided A1 in committing the offence.



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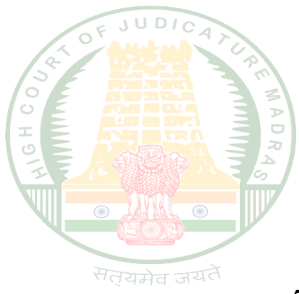
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4. Learned counsel appearing for the petitioners submitted that petitioners are suffering incarceration from 06.04.2025. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that petitioners are siblings of the deceased. He further submitted that the deceased is having illicit relationship with 1st petitioner's husband due to which, the petitioners assaulted her using saree and she died on the spot.

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

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



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 **District Munsif cum Judicial Magistrate, Kattumannarkoil** 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 petitioners 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;

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

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

[e] the petitioners 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 petitioners in accordance with law as if the



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aforementioned conditions have been imposed and the petitioners 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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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.



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M.NIRMAL KUMAR, J.

nr

To

1. The District Munsif cum Judicial Magistrate, Kattumannarkoil
2. Station House Officer
Sozhatharam Police Station
Cuddalore District
3. The Superintendent,
Women Prison, Cuddalore
4. The Superintendent,
Central Prison, Cuddalore
5. The Public Prosecutor,
High Court of Madras.

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14.05.2025.