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CrI.O.P.No.15714 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.15714 of 2025

Mohanavel

... Petitioner/ sole accused

Vs.

The State represented by,
The Inspector of Police,
Siva Kanchi Police Station,
Kancheepuram.
(Crime No. 632 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioner on bail in Crime No.632 of 2024 pending
investigation on the file of the respondent police.

For Petitioner : Ms.H.Esther

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (CrI.Side)



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ORDER

The petitioner/sole accused, who was arrested and remanded to judicial custody on 11.12.2024 for the alleged offences punishable under Sections 103, 296(b) of BNS @ 103(1) of BNS in Crime No.632 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was the son-in-law of the defacto complainant. Due to a matrimonial dispute, the petitioner, who is the husband of the defacto complainant's daughter, abused and assaulted his wife with scissors on her neck, due to which, the daughter of the defacto complainant died on the spot. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner has been in judicial custody from 11.12.2024 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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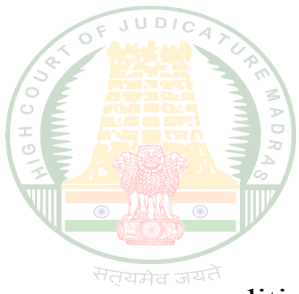
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4. Learned Government Advocate for the respondent submitted that due to a matrimonial dispute, the petitioner, who is the husband of the defacto complainant's daughter, abused and assaulted his wife with scissors on her neck, due to which, the daughter of the defacto complainant died on the spot. He further submitted that charge sheet has been filed before the lower Court. Thereby, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering that the charge sheet has been filed before the Court below, I am inclined to grant bail to the petitioner, subject to 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 learned **Principal District and Sessions Judge, Kancheepuram** and on further



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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 daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for the interrogation;

[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.

22.05.2025

Anu

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 official website of this Court will be watermarked and will also have a QR code.**

To

1.The Principal District and Sessions Judge, Kancheepuram

2.The Inspector of Police,
Siva Kanchi Police Station,
Kancheepuram.

3.The Superintendent,
Puzhal Prison.

4.The Public Prosecutor,
High Court of Madras.

N.SENTHILKUMAR,J.



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