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Crl.O.P.No.19704 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

**Crl.O.P.No.19704 of 2025**

P.Balakrishnan

...Petitioner

Vs.

The State Rep. by  
The Inspector of Police,  
Karuppur Police Station,  
Salem District.  
Crime No.80 of 2025

...Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of BNS, to enlarge the petitioner on bail, pending investigation in the above Crime No.80 of 2025 on the file of the respondent police.

|                |   |                                                    |
|----------------|---|----------------------------------------------------|
| For Petitioner | : | M/s.S.Valarmathi                                   |
| For Intervenor | : | Mr.S.Krishnamoorthy                                |
| For Respondent | : | Mr.R.Vinothraja<br>Government Advocate (Crl. Side) |



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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 13.02.2025 for the offences punishable under Sections 103, 103(1) and 109 of BNS in Crime No.80 of 2025, on the file of the respondent, seeks bail.

2. Learned counsel for the petitioner submitted that a dispute between the petitioner and his wife has been magnified and projected as murder. He further submitted that his cousin sister's death, which occurred due to a fire accident at her home, is now being projected against him. The petitioner, aged 68 years with age-related ailments, was arrested on 13.02.2025. The investigation was completed, and a charge sheet has been filed. He further submitted that the petitioner is innocent, has not committed any offence, as alleged by the prosecution and has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of bail to the petitioners reiterated the prosecution case and submitted that in this case the petitioner has committed the gruesome murder of his wife and his cousin sister. The petitioner, being an aged person, has been harassing his wife regularly. On the date of occurrence, he forced his wife into a sexual relationship, for which his wife was not well and resisted. Thereafter he had taken a wife and snapped, indiscriminately committed the murder, and also developed a suspicion of her morality. Thereafter, he had gone to the house of his cousin sister, who is residing nearby, broke the window, poured the petrol on his cousin sister and inside the house, and set it on fire. The cousin sister in her family, including her handicapped daughter, sustained burn injuries and was rushed to the hospital, and a dying declaration was recorded. She confirms the act of the petitioner. He further submitted that now the investigation is completed, charge sheet has been filed, and the case has been committed to the Court of Sessions pending trial in S.C.No.147 of 2025 before the Mahila Court, Salem, and this case can be given top priority and the trial itself can be completed without delay.



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4. Learned counsel appearing for the intervenor submitted that the petitioner had committed gruesome murder of two persons. First, starting with his wife, prior to that, the petitioner had suspected her morality, and further, he had forced his wife into a physical relationship for which she had refused, and the 2<sup>nd</sup> petitioner is the cousin sister. The petitioner suspected that she was the reason for his wife to keep away from him. Hence, he went to the house of the cousin sister, broke the window, and set fire when they were sleeping with her family, including her handicapped daughter. With great difficulty, the door was opened, and she was rushed to the hospital, where she gave a dying declaration. There are only 40 witnesses. All are neighbours and relatives, and witnesses can be examined without delay. The de facto complainant and others shall cooperate with the trial and ensure that the trial is completed within the stipulated period.

5. In view of the above, gruesome murder have been committed and now the investigation was completed, charge sheet has been filed. There are only 40 witnesses, and the witnesses can be examined without any further delay.



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6. Considering the facts and circumstances of the case, this Court is not inclined to entertain the above petition and the Trial Court is directed to conclude the trial within a period of six months.

7. With the above observations and direction, this criminal original petition is dismissed.

**05.08.2025**

cda

To

- 1.The Judicial Magistrate No.II, Salem.
- 2.The Central Prison, Salem.
- 3.The Inspector of Police,  
Karuppur Police Station,  
Salem District.
- 4.The Public Prosecutor,  
High Court of Madras.



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**M.NIRMAL KUMAR, J.**

cda

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