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CrI.O.P.No.19117 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19117 of 2025

N.Syed Irfan

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Avinashi Police Station,
In Crime No.815/2024.
Tiruppur District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 483 of BNSS, to
enlarge the petitioner on bail in PRC.No.7 of 2025 pending on the file of
learned Judicial Magistrate, Avinashi.

For Petitioner : Mr.S.Bharanidharan

For Respondent : Mr.R.Vinoth Raja,
Government Advocate (Crl. Side)



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ORDER

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The petitioner arrested and remanded to judicial custody on 05.12.2025 in connection with PRC.No.7 of 2025 on the file of the Judicial Magistrate Court, Avinashi, seeks bail.

2.The case of the prosecution is that A1 and the petitioner had an illicit affair and that the deceased was A1's husband. On the instigation of A1, the petitioner decided to do away with the deceased and in turn engaged A4 to A8, to cause the death of the deceased and accordingly, the deceased was done to death on 01.12.2024 by A4 to A8. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and considering the period of incarceration, the petitioner may be released on bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that the petitioner is the prime accused who had illicit relationship with the wife of the deceased and both the petitioner and wife of deceased engaged the other accused and murdered the deceased. He



further submits that on completion of investigation, charge sheet filed before the committal Court and PRC.No.7 of 2025 assigned.

5.Taking into consideration the period of incarceration and charge sheet filed before the trial Court, this Court is inclined to grant bail to the petitioner with certain conditions.

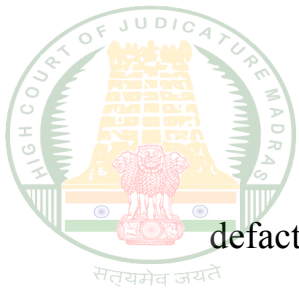
6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Avinashi and on further conditions that:

[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/Court of Sessions on all hearing dates without fail.

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

[d]the petitioner shall not directly or indirectly cause any threat to the



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defacto 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.

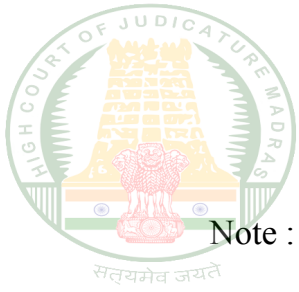
10.07.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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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,
Avinashi.

2.The Central Prison,
Avinashi.

3.The Inspector of Police,
Avinashi Police Station,
Tiruppur District.

4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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