



Crl.O.P.No.18720 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18720 of 2025

1.Jaya

2.Indu Kumar

... Petitioners

Vs.

The State rep by
The Inspector of Police,
Thiruvallam Police Station,
Vellore.

Crime No.67 of 2025.

... Respondent

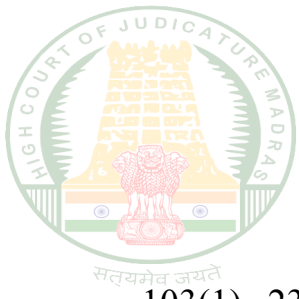
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime No.67
of 2025 on the file of the Respondent police.

For Petitioners : Mr.M.Mohamed Yasin

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on
12.05.2025, for the offences punishable under Sections 103(1) of BNS, 2023 @



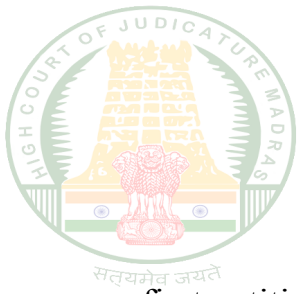
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103(1), 238(a), 3(5), 61(2) of BNS, 2023 in connection with Crime No.67 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the deceased, who is the brother of de-facto complainant, is a paramour of first petitioner/A1. During their course of relationship, the deceased gave Rs.3,00,000/- to A1. When the deceased demanded for return of Rs.3,00,000/-, the petitioners attacked the deceased, thereby he sustained head injury and died. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and he prays to grant bail to the petitioners.

4. 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 the second petitioner is none other than the son of first petitioner. The first petitioner is the paramour of the deceased. The



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first petitioner started avoiding the deceased and the deceased continued to create disturbance and also taking advantage of the earlier loan of Rs.3,00,000/- given to the first petitioner, the deceased went to the house of first petitioner and picked up a quarrel, which was questioned by the second petitioner. Hence, on the date of occurrence, the petitioners attacked the deceased, thereby he sustained severe head injury and died.

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

6. Considering the submissions made 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.

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 **Judicial Magistrate, Katpadi**, and on further conditions that:



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[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. until further orders;

[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, they 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 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]**;



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

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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, Katpadi.
- 2.The Inspector of Police,
Thiruvallam Police Station,
Vellore.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Superintendent,
Central Prison for Women, Vellore.
- 5.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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