



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19348 of 2025

1.Kuldip Singh
2.Mohit Kumar Singh

.. Petitioners (A4 & A5)

Vs.

The State Rep. by
The Inspector of Police,
Erode South Police Station,
Erode District.
(Crime No.204 of 2023)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused on bail
in the event of their arrest in Crime No.204 of 2023 by the respondent
police pending investigation and grant Anticipatory Bail.

For Petitioners : Mr.M.Venkadesh Kumar

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



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ORDER

The petitioners, who were apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 306 of Indian Penal Code in Crime No.204 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that A1 is the wife of the deceased and A2 is the father-in-law of the deceased and A3 is the mother-in-law of the deceased and A4 is the uncle of the deceased and A5 is A4's son and the allegation is that the accused person had pressured the deceased regarding his wealth, property, cash balance and employments, frustrated over the same, deceased committed suicide. Hence, the complaint has been lodged.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.



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5. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

7. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate-III, Erode** on condition that the petitioners shall execute 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 respondent



police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioners are serving in Uttarpradesh Police and therefore, they shall report before the respondent Police daily at 10.30.a.m., for a period of one week and thereafter as and when required for interrogation;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioners shall make himself available for interrogation by a Police office as and when required;

[f] 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;

[g] the petitioners shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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M.NIRMAL KUMAR, J.

cda/sma

To

- 1.The Judicial Magistrate III,
Erode.
- 2.The Inspector of Police,
Erode South Police Station,
Erode District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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