



Crl.O.P.No.20577 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20577 of 2025

K.Maharajan

.. Petitioner

Vs.

The State rep by
The Inspector of Police
Peelamedu Police Station
Coimbatore

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail pending investigation in Crime No. 476 of 2025 on the file of the respondent police.

For Petitioner : Mr.R.Radha Pandian

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.06.2025, for the offence punishable under Sections 296(b), 232(2), 351(2) of BNS act, 2023 and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No. 476 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that defacto complainant is the mother-in-law of the petitioner. It is alleged in the FIR that petitioner, along with his family members, committed a murder of his wife and projecting it as the case of suicide. 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 also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 27.06.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, submitted that the petitioner committed a murder of his wife. He submits that the case was taken on file in S.C.No.84 of 2024 and the trial is not yet commenced. He also submits that on 26.06.2025, the petitioner threatened the defacto complainant and her grandson not to adduce any evidence. Hence, he strongly opposed to grant bail to the petitioner

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



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6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, it is seen that the allegation against the petitioner is that he had murdered his wife and thereafter, hanged her body projecting the incident as a case of suicide. Presently, the petitioner is facing trial in S.C.No.84 of 2024 before the Sessions Court, Theni. It is further alleged that the petitioner's mother-in-law and his son were residing in Coimbatore and the petitioner had gone to Coimbatore to met his son which is now projected as though the petitioner had caused threat on 26.06.2025 in the middle of the road. The trial in the said case is not yet commenced and the date for trial has not been fixed and the case remains unopened. In view of the same, considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with 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 **Judicial Magistrate, Additional Mahila Court, Coimbatore** 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;

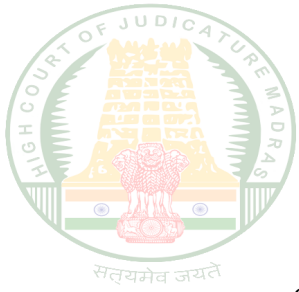
[b] the petitioner shall report before the Trial Court on all hearing dates without fail.

[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 de facto 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**



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SCC 283];

[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.



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To

1. The Judicial Magistrate, Additional Mahila Court, Coimbatore
2. The Inspector of Police
Peelamedu Police Station
Coimbatore
3. The Superintendent,
Central prison, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.



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This matter is posted today under the caption 'For being mentioned' at the instance of the learned counsel for the petitioner.

2. When the matter was taken up for hearing, the learned counsel for the petitioner brought it to the notice of the Court that in the order, the petitioner counsel's name has been wrongly mentioned as “Mr.R.Radha Pandiyan” instead of “Mr.A.Kalaivanan”.

3. In view of the same, necessary corrections to be carried out in the order as follows:-

i) In the appearance column of the order dated 22.07.2025 in Crl.O.P.No.20577 of 2025, the petitioner counsel's name “Mr.R.Radha Pandiyan” shall be replaced with “Mr.A.Kalaivanan”

4. Registry is directed to issue fresh order copy by incorporating the above said changes.

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