



Crl. O.P. No. 20673 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl. O.P. No. 20673 of 2025

B. Karthikeyan @ Karthik

... Petitioner/Accused

Vs.

State Represented by
The Inspector of Police,
D-3 Podanur Police Station.
(Crime No. 204 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No. 204 of 2025 on the file of the respondent.

For Petitioner : Mr. E. Marees Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.05.2025, for the offence punishable under Section 103(1), 238, 61(1) of BNS Act, 2023 in connection with Crime No.204 of 2025, registered on the file of the respondent, seeks bail.

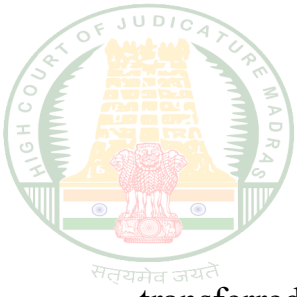


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2. Learned counsel for the petitioner submitted that the petitioner is a student. The deceased is the friend of the petitioner and other room-mates used to visit the room and thereafter, he had developed a relationship with one Thara and later, he tried to ditch with Thara. The brother of the said Thara had informed about this to the petitioner, who had questioned the deceased and forced him to get the issue resolved and marry Thara, which the deceased refused for the same. Thereafter, it was found projected that the petitioner along with others have taken the deceased and intoxicated the deceased with alcohol and assaulted the deceased with wooden log which leading to the death of the deceased. Thereafter, the body of the deceased was thrown in the well. In this case, the complaint has been lodged by VAO and it is only on suspicion, the petitioner was arrested. It is the case of circumstantial evidence.

3. Learned Government Advocate (Crl. Side) submitted that during interrogation, the petitioner had given details about one Mothi and his address. When the respondent police had gone there to enquire with Mothi, no such person was available and the address was also not clear. He further submitted that in this case, initially case in Crime No.204 of 2025 was registered for the offence under Section 194 of BNS Act on 11.05.2025 by Podhanur Police. Later, it was



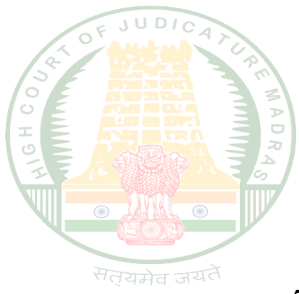
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transferred to Perur Police Station and it was re-numbered as Crime No. 212 of 2025. The Podhanur Police Station comes under the jurisdiction of learned Judicial Magistrate, Madhukarai. After transfer of the case to Perur Police Station, the jurisdictional Magistrate comes under learned Judicial Magistrate I, Coimbatore. Since the case bundle has not been transferred from Judicial Magistrate, Madukarai to Judicial Magistrate I, Coimbatore, there is some delay. Hence, he strongly opposed for grant of bail to the petitioner.

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

5. Considering the submissions and on perusal of the materials, it is seen that it is the case of circumstantial evidence, the VAO lodged the complaint. The petitioner and deceased are friends. The deceased had relationship with one Thara and there was some dispute in this regard. The petitioner is a college going student and only on suspicion, he had been arrested in this case and he was in prison for the past 76 days. Now, investigation has already been transferred but the file is yet to be received by Perur police and this procedure will take some time.

6. In view of the above, this Court is inclined to grant bail to the petitioner with certain conditions.



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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 I, Coimbatore** 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 report before the respondent police on every Saturday and Sunday at 10.30 am for a period of six months and thereafter, as and when required for interrogation;

[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, she shall comply to the directions as may be given by the Court in this regard;



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[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.

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AT

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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M.NIRMAL KUMAR, J.

AT

To

- 1.The learned Judicial Magistrate I, Coimbatore.
- 2.The learned District Munsif Cum Judicial Magistrate,
Madhukarai, Coimbatore.
- 3.The Perur Police Station.
- 4.The Inspector of Police,
D-3 Podanur Police Station.
- 5.The Superintendent,
Coimbatore Central Prison,
Coimbatore.
6. The Public Prosecutor,
High Court, Madras.

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