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Crl.O.P.No.20696 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20696 of 2025

Tamilselvan

... Petitioner/A1

Vs.

The State represented by
The Inspector of Police,
Pachal Police Station,
Thiruvannamalai District.
(Crime No.123 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.123 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Silambuselvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 20.06.2025, for the offences punishable under Sections 194(3) of BNSS
(under Section 174 of Cr.P.C.) @ 108(1) of BNS (under Section 306 of IPC)



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in connection with Crime No.123 of 2025, registered on the file of the
respondent, seeks bail.

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2. The case of the prosecution is that the petitioner and the de-facto complainant's daughter/deceased were married 4 years back, out of their wedlock, two female children born to them. Due to matrimonial discord, the de-facto complainant's daughter committed suicide by hanging in the matrimonial house. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that in this case, there are totally 6 accused. A1 is the petitioner, A2 and A3 are father and mother of the petitioner, A4 is the brother of petitioner and A5 and A6 are the sisters of the petitioner. The petitioner used



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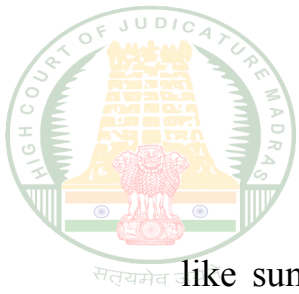
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to quarrel with the deceased in a drunken mood and the other accused also demanded money. Unable to bear the sufferings, the deceased had committed suicide by hanging. He further submitted that the children are now with the parents of the deceased.

5.At this juncture, the learned counsel for petitioner voluntarily submitted that the petitioner, in order to show his bonafide, is ready and willing to deposit a sum of Rs.2,00,000/- to the credit of the Crime No.123 of 2025 without prejudice to his right and defence in the above case.

6.Considering the nature of allegations, the period of incarceration undergone by the petitioner and the submission that the petitioner is willing to deposit an amount of Rs.2,00,000/- to the credit of Crime No.123 of 2025, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.2,00,000/- [Rupees Two lakhs only]** to the credit of Crime No.123 of 2025 before the trial Court, on such deposit and production of proof, 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



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like sum to the satisfaction of the learned **Judicial Magistrate, Chengam** 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 everyday at 10.30 a.m., for a period of three weeks, thereafter as and when required for interrogation;

[c] On such deposit of Rs.2,00,000/-, the trial Court shall redeposit the said amount in an interest bearing Fixed Deposit account in the name of two children, viz., SHITHIGA and MATHUMITHA (Rs.1,00,000/- each) for a minimum period of 5 years, the fixed deposit receipt to be handed over to the guardian of the children. The respondent police is directed to inform the guardian of the deceased about the deposit of Rs.2,00,000/-.

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

[e] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during



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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] 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]**;

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

23.07.2025

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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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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate,
Chengam.

2.The Inspector of Police,
Pachal Police Station,
Thiruvannamalai District.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court of Madras.

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