



Crl.O.P.No.21950 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21950 of 2025

Kiran Kumar

.. Petitioner

Vs.

State rep. by
The Sub-Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
Crime No.179 of 2025

... Respondent

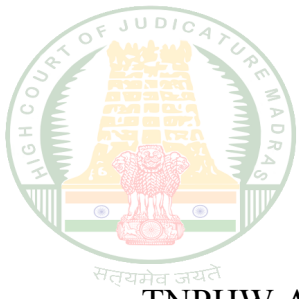
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.179 of 2025 on the file of the respondent police.

For Petitioner : Mr. E.Sathiyaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.07.2025, for the offence punishable under Section 194(3) of BNNS Act (Corresponding Section 174 of CrI.P.C) r/w 296(b), 85, 108, 49 of BNS (Corresponding Section 294(b), 498A, 306, 109 of IPC) and Section 4B(2) of



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TNPHW Act and Section 6(a), 6(b), 23(1), 23(3), 25 of PNDT Act 1994 in Crime No.179 of 2025 on the file of the respondent, seek bail.

2. The case of the prosecution is that the defacto complainant is the father of the deceased, who lodged a complaint stating that his daughter committed suicide by jumping into a well along with her female child. It is alleged that the husband and other accused after learning that the child in her womb was female, harassed and tortured her to abort the pregnancy. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he had 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 25.07.2025. 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 (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 25.07.2025. He also submitted that some of the Accused were already granted bail.

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, 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 their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (out of which one surety should be a local surety)** for a like sum to the satisfaction of the **learned District Munsif Court cum learned Judicial Magistrate, Kilpennathur, Tiruvannamalai District** 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 daily at 10.30 am., for a period of three weeks 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;



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[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;

[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]**;

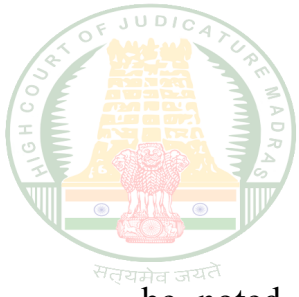
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.08.2025

Shl

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



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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 District Munsif cum Judicial Magistrate,
Kilpennathur, Tiruvannamalai District
2. The Sub-Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

Shl

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