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Crl.O.P.No.21944 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21944 of 2025

1. M.Lazar

2. Shilpakala

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Avadi Tank Factory Police Station,
Avadi, Chennai. Crime No.814 of 2024.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail pending
investigation in Crime No.814 of 2024 on the file of the respondent police.

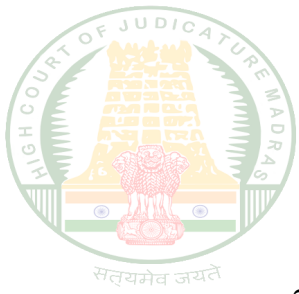
For Petitioners : Mr.S.Venkatesh

For Respondent : Mr.R.Vinothraja

Government Advocate (Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on
21.07.2025, for the offence punishable under Section 194 of BNSS @ Section
105 of BNS, in Crime No.814 of 2024, registered on the file of the respondent,
seek bail.



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2. The case of the prosecution is that, the petitioners, who are running a de-addiction centre in the name of 'Great Life Foundation', along with other accused, committed culpable homicide on the de facto complainant's husband, who had been admitted to the petitioner's de-addiction centre for recovery from alcohol addiction. Initially, a complaint was registered under Section 194 BNSS based on the complaint given by the de facto complainant. However, during the course of investigation, it was revealed that the victim had died to due to multiple injuries. Thereby, the case was altered to one under Section 105 of BNS. Hence the case.

3. The contention of the learned counsel appearing for the petitioners is that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the second petitioner is a qualified rehabilitation specialist and has been running a licensed de-addiction centre for the past 5 years. He further submitted that the de facto complainant's husband, who had been addicted to alcohol for the past 12 years, was admitted to the said centre only on 21.12.2024. On 26.12.2024, he allegedly behaved abnormal and caught hold of the female staff by the neck and strangulated her and she was rescued with great difficulty. Thereafter, he injured himself and died. He further submitted that that admittedly force has been used on the victim to rescue a staff, however, it is now



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being projected as though the petitioners were responsible for the death of the victim. The incident occurred on 26.12.2024, but the case was altered only 18.07.2025 and the petitioners were arrested on 21.07.2025. He also submitted that the second petitioner is undergoing treatment for her uterus problem and admitted in a hospital. Hence, he prayed for the grant of bail to the petitioners stating that the petitioners, who are no way connected with the alleged offence, is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for the grant of bail to the petitioners. He further submitted that initially, the case was registered on 26.12.2024, however, based on the post-mortem report, it was altered on 18.07.2025.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and taking note of the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.10,000/- (Rupees Ten**



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Thousand only) with two sureties each for a like sum to the satisfaction of the

learned **Judicial Magistrate, Ambattur** 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 petitioners shall report before the respondent Police everyday at 10.30 am., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate / Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;



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[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.

To

1. The Judicial Magistrate, Ambattur.
2. The Inspector of Police,
Avadi Tank Factory Police Station,
Avadi, Chennai.
3. The Superintendent,
Central Prison – II, Puzhal, Chennai.
4. The Superintendent,
Central Prison for women, Puzhal, Chennai.
5. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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