



Crl.O.P.No.24531 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24531 of 2025

Peer Mohamed

S/O. Mohamed Sarfudheen

... Petitioner

Vs.

The Inspector of Police,
Tank Factory Police Station,
Avadi.

(Crime No.814 of 2024)

... Respondent

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

For Petitioner : Mr.M.Mohamed Saifulla
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.07.2025 for the alleged offence under Sections 194 of BNSS, 2023 @ 105 of BNS, 2023, in Crime No.814 of 2024, on the file of respondent police, seeks bail.



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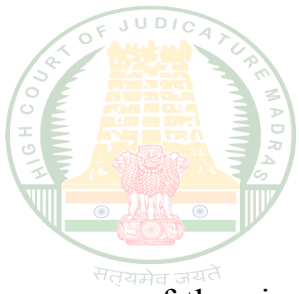
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2. The case of the prosecution is that the petitioner accompanied with other accused have committed murder of the defacto complainant's husband. Hence the case.

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 he also admitted as a patient in the re habitation centre, where the occurrence happened. He further submits that the petitioner has been suffering incarceration from 27.07.2025. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the deceased was addicted to alcohol, and therefore, he was admitted in Great Life foundation De addiction centre, which was run by A1 and A2, where A3 was also working as a staff member. On the date of occurrence, they attacked the husband of the defacto complainant, due to which he died. Hence, he raised objections to grant bail to the petitioner.

5. Considering the fact that the occurrence took place in de-addiction centre where the deceased had been admitted for treatment, and according to the prosecution, he was beaten on that day, which resulted in his death, this Court is



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of the view that the petitioner's case requires consideration. The petitioner has no previous criminal antecedents, A1 and A2 have already been released on bail. The investigation is almost completed, and also taking into account the period of incarceration already undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** 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 surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. for the period of three months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



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(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

(g) the petitioner shall not to have any communication with the deceased family.

7. Considering the fact that the deceased was aged about 34 years, and he is survived with his wife / defacto complainant and a minor daughter, and that due to his addiction to alcohol, he was admitted in the deaddiction centre where he died, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority of Chennai has referred the matter to the District Collector under the said Scheme. The District Collector is directed to provide a compensation of Rs.2,00,000/-, to the family of the deceased, out of which Rs.1,00,000/- shall be paid to the minor daughter and Rs.1,00,000/-



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shall be paid to the wife of the deceased, within a period of four weeks from the date of receipt of a copy of this order.

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To

- 1.The Judicial Magistrate, Ambattur.
- 2.The Inspector of Police,
Tank Factory Police Station, Avadi.
3. The Superintendent of Prison, Central Prison, Puzhal-II.
- 4.The Public Prosecutor, High Court, Madras
5. The District Legal Service Authority, Chennai.

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.

T.V.THAMILSELVI, J.

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