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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.26789 of 2025

P.Balasubramanian

... Petitioner

Vs.

The State
Rep by Inspector of Police,
Karumathampatty Police Station.
(Cr.No.104 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.104 of 2024 on the file of respondent police.

For Petitioner : Mr.E.K.Kumaresan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
22.08.2025, for the offence punishable under Sections 306 of IPC, in Crime
No.104 of 2024, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner used to help financially the husband of the defacto complainant for the purpose of treating his second son. While be so, the defacto complainant's husband had executed a sale deed in respect of an agricultural land in favour of the petitioner for obtaining loan from the Bank for his personal use. Thereafter, the petitioner while repaying the loan, without the knowledge of the husband of the defacto complainant, grabbed 90 cents of land and thereby cheated the defacto complainant's husband and due to which, the defacto complainant's husband consumed poison and subsequently died. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is in no way connected with the alleged offence. The petitioner had not purchased any agricultural land from the deceased as alleged by the prosecution. The fact remains that the defacto complainant and her husband had executed a sale deed in respect of the 90 cents in favour of one M.Natarajan, Proprietor of M/s.GD Finance after receiving valid sale consideration in the year 2017 and later, in the year 2020, the petitioner had purchased the said 90 cents of agricultural land from the said Natarajan for



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valid sale consideration by way of bank transfer for which, the defacto complainant's husband had stood as witness No.1 and that the petitioner has been falsely implicated in this case. He further submitted that the petitioner has been suffering incarceration from 22.08.2025. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reported that the petitioner was not in a position to obtain loan from the Bank and therefore, the deceased executed a sale deed in his favour and later, the petitioner cheated the deceased due to which, the deceased committed suicide. Hence, he opposed for grant of bail to the petitioner.

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

6. It is seen that the deceased committed suicide due to his inability to get back his land which was sold in favour of a finance company. Considering the facts and circumstances of the case, nature of allegations and the period of incarceration undergone by the petitioner, 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.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.**

[c] 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**



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Kerala [(2005)13 SCC 283];

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

07.10.2025

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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.

To

1. The Judicial Magistrate, Coimbatore.

2. The Inspector of Police,
Karumathampatty Police Station.

3. Central Prison, Coimbatore.

4. The Public Prosecutor
High Court, Madras.



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K.RAJASEKAR, J.

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