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Crl.O.P.No.27118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27118 of 2025

Soundhar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Paramathi Police Station,
Namakkal District.
(Crime No.132 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.132 of 2025 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 31.07.2025, for the offence punishable under Sections 191(2), 191(3) and
103(1) of BNS, in Crime No.132 of 2025, registered on the file of the
respondent, seeks bail.



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2. The case of the prosecution is that the de facto complainant is the mother of the deceased, and that her daughter-in-law, A3, who is the wife of the deceased, along with her family members and other accused, conspired together and assaulted the deceased by compelling him to consume pesticide. They also administered intoxicating drugs to him through an injection and subsequently strangled him with a pillow Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner, aged about 19 years, is only a neighbour. He further submitted that, at the request of the other accused, who is father-in-law of the deceased, the petitioner was present but was not aware of the incident and has been falsely implicated. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that totally 7 accused involved in this case, all of whom have been arrested and are in custody. The petitioner, ranked as A5, also participated in the occurrence by helping the other accused and holding the deceased at the time of strangulation. Hence, he strongly opposed the grant of bail to the petitioner.



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5. I have given my anxious consideration on either side submissions and perused the materials available on record.

6. Considering the manner in which the occurrence took place, the overt act attributed to the petitioner, the motive, and the period of incarceration, 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 his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Paramathi**, 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 stay at Hosur and report before the Inspector of Police, Hosur Town Police Station, Krishnagiri District, daily at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation;



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

[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, 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 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]**;

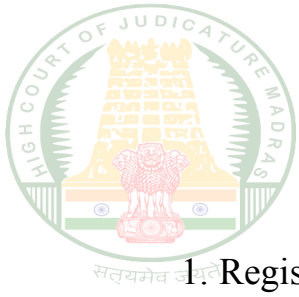
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08.10.2025

cda

Note :

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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, Paramathi.

2.The Inspector of Police,
Paramathi Police Station,
Namakkal District.

3.The Inspector of Police,
Hosur Town Police Station,
Krishnagiri District.

4.The Central Prison, Salem.

5.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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