



Crl.O.P.No.32368 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32368 of 2024

Sathishkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kandamangalam Police Station,
Kandamangalam, Villupuram District.
(Crime No.455 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.455 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Tamilselvan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.455 of 2024 registered under Section 194(1) of BNSS and later, altered for the offences punishable under Sections 103, 238 and 61(2) of BNS, is on board for consideration.



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2. The incarceration of the petitioner/A2 being from 16.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that even as per the First Information Report, it was only stated to be an accident, however, later, based on the statement recorded, the petitioner and A1 were implicated stating that they had murdered the victim. He further submits that other than the confession statement recorded, there is no material to connect the petitioner to the crime. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner has developed illicit intimacy with the first accused, who was the daughter-in-law of the deceased/victim and on coming to know about the same, the victim had warned the accused, thereby, the accused, enraged over the same, had conspired together and murdered the victim by pouring petrol and setting fire to her. He further submits that initially the case was registered under Section 194(1) of BNSS and later, altered to one under Sections 103, 238 and 61(2) of BNS and the case is under investigation.



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4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and 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 **Additional Mahila Court, Villupuram**, 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 stay at Krishnagiri and report before the Inspector of Police, Krishnagiri Town Police Station, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned 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 learned



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A.D.JAGADISH CHANDIRA.,J.

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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]***;

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

09.01.2025

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To

1. The Additional Mahila Court,
Villupuram.
2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
3. The Superintendent,
Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.

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