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Crl.O.P.No.31567 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31567 of 2025

Boopathi

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
(Crime No.116 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.116 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.10.2025, for the alleged offence punishable under Section 194(3) of BNSS @ 296(b), 108 of BNS r/w Section 9, 10 of Child Marriage Act, in Crime No.116 of 2025, on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is the husband of the deceased and that he had married her while she was minor and, thereafter due to matrimonial disputes, subjected her to harassment. Prior to the date of the alleged occurrence, it is stated that the petitioner, in an inebriated condition attacked her, hence she returned to her parents house. Hence, the petitioner attempted to commit suicide. Hence, family members of the petitioner went to the deceased, scolded and abused her. Being unable to bear the alleged harassment, the deceased is said to have committed suicide by hanging. Hence, the complaint was lodged by the defacto complainant's and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner had no role in abetting the deceased to commit suicide. He further submitted that the petitioner was arrested and he is in judicial custody since 22.10.2025. Hence, he prays to grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is in judicial custody from 22.10.2025 and that the investigation is still pending. Hence, he opposes to grant bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, the fact that the deceased committed suicide allegedly due to matrimonial dispute, and the period of incarceration undergone by the petitioner, 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.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate Court, Palacode*, 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 a period of three weeks and thereafter as and when required for interrogation.

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



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

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[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 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 B.N.S.

19.11.2025

drl

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

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1.The Judicial Magistrate Court,
Palacode.

2.The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.

3.The Superintendent,
Central Jail, Salem.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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