



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34283 of 2025

Prakash @ Prakashraja

Petitioner

Vs

The State Represented by

The Inspector of Police,

Valathy Police Station,

Villupuram District.

Crime No.187 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.187 of 2025 on the file of the respondent police.

For Petitioner:

Mr.T.Shanmugam

For Respondent:

Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



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on 22.09.2025 for the alleged offence punishable under Section 103(1) and 238 of BNS, in Crime No.187 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein is the son, born to the first wife of one late Palanivel and the defacto complainant also a son, born through Jayakodi, who is the second wife; that after the death of Palanivel, dispute arouse between the complainant's family and the petitioner's family in respect of partition of family properties; that thereby, the petitioner got enraged and on 21.09.2025, while the defacto complainant's mother Jayakodi was alone, the petitioner brutally attacked her on head using a stone and dumped her body into a well. Hence, a complaint was lodged and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody from 22.09.2025; that since the petitioner's family members name were removed from the ration card, a dispute arose between the family members of the defacto complainant and the petitioner and hence he has been falsely implicated in this case. 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 the petitioner on account of previous enmity, committed murder of the deceased by brutally attacking the deceased on her head using stone and dumped her body into the nearby well and that the investigation is still pending. However, he opposes to grant bail to the petitioner.

5. Earlier, this Court had dismissed the bail petition in Crl.OP.No.30154 of 2025 dated 05.11.2025 on the ground that the investigation is still pending.

6. Considered the above facts and circumstances of the case, the nature of the allegations and the motive behind the occurrence and the manner in which the alleged took place, the fact that the petitioner is not having any previous antecedents and also considering 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 her 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, Gingee* 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 concerned Court 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;

[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];

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[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 B.N.S.

15.12.2025

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

- 1.The Judicial Magistrate,
Gingee.
- 2.The Inspector of Police,
Valathy Police Station,
Villupuram District.
- 3.The Superintendent,
District Jail, Villupuram.
- 4.The Public Prosecutor,
High Court, Madras.

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K.RAJASEKAR, J.,

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