



CRL OP(MD). No.8392 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.8392 of 2025

Subramanian,
S/o.Ganesan

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.113 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.V.Kannan,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.113 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / sole accused, who was arrested and remanded to judicial custody on 24.03.2025 for the offences under Section 194(3)(i) of the Bharatiya Nagarik Suraksha Sanhita, 2023, altered to Section 108 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.113 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was residing in Perumbacheri Village along with her family comprising her husband Thiagarajan (who was employed in Chennai) and their three children—eldest daughter Kanimozhi, second son Murugan, and youngest daughter Ribina. The said Ribina was married to the petitioner herein in the year 2023. Subsequent to her marriage, Ribina had reportedly informed her mother that the petitioner would physically abuse her, particularly when he was under the influence of alcohol. The family attempted to resolve the issue on multiple occasions and continued to send her back to her matrimonial home. On 23.03.2025, at around 2.00 a.m., one Saravanan, who is the son of the defacto complainant's sister, received a phone call from one Malaichamy, informing him that Ribina was found hanging in her bedroom. The



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said Saravanan immediately informed the defacto complainant, who, along with her eldest daughter Kanimozhi, rushed to Ribina's residence. Upon arrival, they found Ribina lying on the bed, unresponsive and without any signs of life. They immediately called the emergency services (Dial 108) and transported her by ambulance to the Ilayangudi Government Hospital, where she was declared dead on arrival. Thereafter, the defacto complainant lodged a complaint at the respondent police station at around 8.30 a.m., resulting in the registration of an FIR in Crime No.113 of 2025 under Section 194 of the Bharatiya Nagarik Suraksha Sanhita (BNSS). Subsequently, on 24.03.2025, the case was altered to one under Section 108 of the Bharatiya Nyaya Sanhita (BNS) by way of an Alteration Report. The petitioner herein was arrested immediately and was remanded to judicial custody. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that there is no line between the death of the petitioner's wife and the petitioner. He would further submit that there are no previous cases against the petitioner. He would further submit that the petitioner is in custody from



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24.03.2025. Hence, he seeks bail.

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4. The learned Additional Public Prosecutor would submit that the petitioner had continuously harassed the deceased while under the influence of alcohol. He would further submit that the petitioner had already filed a bail application before the Principal Sessions Judge, Sivagangai in Crl.M.P. No.1102 of 2025, and the same was dismissed on 29.04.2025. He would further submit that investigation in this case has not been completed. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, however, subject to the following 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.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned District Munsif-cum-Judicial Magistrate, Ilayangudi 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. 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 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 BNS, 2023.



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8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

TO

1. THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,
ILAYANGUDI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE OFFICER-IN-CHARGE,
SUB-JAIL AT RAMAND.
4. THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.8392 of 2025
Date :22/05/2025

PR/23.05 .2025 7P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023