



CRL OP(MD).No.11661 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11661 of 2025

Simcoxraj,
S/o.Irudhayaraj,

...Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Tamil University Police Station,
Thanjavur District.
(Crime No.299 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.V.Kathirvel
Senior Counsel
for
Mr.K.Prabhu

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.299 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 03.07.2025 for the offences punishable under Section 108 of BNS, 2023 in Crime No.299 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto-complainant's son studied 11th Standard at Vellammal Bodhi Campus School, Thanjavur. This petitioner is working as a Teacher in the said school. While the defacto-complainant's son was talking with his classmate viz girl student, as a class teacher, this petitioner reprimanded him before other students. Due to mental agony, on 30.06.2025, the defacto-complainant's son had committed suicide Hence, the case.

3. The learned counsel for the petitioner would submit that in this case, this petitioner has not instigated the deceased to commit suicide. The allegations against the petitioner are baseless allegations. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 03.07.2025 nearly 7 days.



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Hence, he seeks bail.

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4. The learned Counsel for the petitioner has also relied upon a judgment of this Court, in the case of State rep. by the Inspector of Police, Kanniyakumari Circle Police Station vs Muthuraj and others in crl.A.(MD).No.279 of 2009 dated 30.04.2019. The relevant portion of the said judgement is extracted as follows :

"37.As discussed supra, in the catena of citation above, it is seen that, when teachers, in the interest of the institution, school/college, to correct any mistake done by the students in order to cultivate good habits and get rid of bad habits, such as stealing money, the accused being teachers on their school have scolded for stealing money and such act of the accused/teachers cannot be said to amount to abetment of suicide. In another case, it seems that the student has taken extreme decision to put an end to his life by committing suicide by hanging, as he has obtained less marks in Mathematics which resulted in, the concerned Lecturer was arrayed as an accused. In yet another case, it is noted that the teacher being monitor of students had taken mobile phone only in the interest of student which he has used during the study hours and such act of the teacher could not amount to abetment of suicide. It is to be stated that the teachers were entitled to correct the wrong order. The younger generation viz., the students cannot resort to take the extreme step of putting an end to their life merely on the ground of getting lessor marks in the examination. It is always open to them to ask for revaluation as the case applicable and hence, this Court finds that the act of



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the accused does not exceed the limit of disciplining the student within the school campus and conducting of re-examination or re-testing for the students, who performed poor in the examination and any such incident or words spoken to or uttered by the teachers of the student cannot amount to instigation or incitation for the offence under Section 306 IPC."

5. The learned Government Advocate (Criminal Side) would submit that this petitioner working as a Teacher in the Vellammal Bodhi Campus School, Thanjavur. The deceased boy was studied 11th Standard in the said school. In the classroom, the deceased used to talk with the girl student, as a class teacher, this petitioner reprimanded the deceased in front of other students. Due to mental agony, the defacto-complainant's son committed suicide by hanging in his house. In this case, suicide note recovered by the respondent police. There is no previous case against this petitioner. However, he objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also considering the teacher student relationship and perusal of the judgement relied upon by the learned Counsel for the petitioner and also further fact that in this case, FIR registered on 30.06.2025, by this time most of the investigation might have been completed, there is no previous case against this petitioner, the petitioner/accused is in judicial custody from 03.07.2025, taking into consideration of the period of



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incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate No.II, Thanjavur 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 furnish his residential address and contact number to the learned Judicial Magistrate No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Thanjavur;

[c] the petitioner shall appear and sign before the respondent police, daily at 10.00.a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
10/07/2025

/ TRUE COPY /

10/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN



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TO मेव जयते

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1. THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.
2. THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, DISTRICT PRISON,
PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,
THANJAVUR TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.PRABHU, Advocate (SR-7386[I] dated 10/07/2025)

ORDER
IN

CRL OP(MD) No.11661 of 2025
Date :10/07/2025

PR/10.07 .2025 7P/7C

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