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CRL OP No. 5650 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5650 of 2026

Kannan
S/o.Pichai Muthu,
No.4/2, Somu Street, 3rd lane,
Royapuram, Chennai - 600 013.

..Petitioner(s)

Vs

The State Rep. By:

The Inspector of Police,
Kiliyanur Police Station,
Villupuram.
(Cr. No.391 of 2025)

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail pending investigation in Crime No.391 of 2025 on the file of the Inspector of Police, Kiliyanur Police Station.

For Petitioner(s): A.Murali

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.12.2025 for the alleged offences under Sections 194(1), 103(1), 238 and 303(2) of B.N.S. (Sections 159, 302, 201 and 379 of IPC) in Crime No.391 of



2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner caused murder of his wife by strangulating her neck and thrown the body in a remote place. Based on the information received from the Village Administrative Office that a dead body of a middle aged woman is found lying on the service Road of National High Ways, FIR was registered. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that initially FIR was registered as unnatural death and subsequently, through investigation, the respondent Police have fixed the petitioner. He would further submit that the petitioner is an innocent and he has been under judicial custody since 17.12.2025 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Though the Learned Government Advocate (Criminal side) appearing for the respondent police disputed the contention made by the learned counsel appearing for the petitioner, fairly submitted that there is no previous cases against the petitioner; that only through investigation, the involvement of the petitioner was unearthed and the investigation is at final stage.



5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. In view of the submissions made on either side, this Court is of the opinion that no further custodial interrogation of the petitioner is necessary. Taking into consideration the long incarceration of the petitioner since 17.12.2025, this Court is inclined to grant bail to the petitioner, subject to certain conditions:

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 the learned **Judicial Magistrate, Vanur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., and 5.30 p.m. until further orders;

[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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]:

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

05-03-2026

MJS

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, Vanur.
2. The Inspector of Police, Kiliyanur Police Station, Villupuram.
3. The Superintendent, Central Prison, Villupuram.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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05-03-2026