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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32113 of 2026

CNR: {HCMA012637412026}

Eshwari
W/o.Elayaraja,
Residing at No.13, Mooppanar Kovil Street,
S.Naraiyur, Vadapathy,
Cuddalore District,

..Petitioner(s)

Vs

The State rep by the Sub Inspector of Police
Keezhkuppam Police Station,
Kallakurichi District.
Crime No.218 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.218 of 2026 pending on the file of the respondent

For Petitioner(s): Ms.A.Divya

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.10.2026 for the alleged offence under Section 108 of BNS, 2023 in Crime

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No.218 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to a dispute over money and gold jewellery arising out of an alleged illicit relationship between the deceased and A1, the petitioner and her husband allegedly harassed and threatened the deceased, which drove her to commit suicide. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody since 11.10.2026 and that he 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that due to a dispute over money and gold jewellery arising out of an alleged illicit relationship between the deceased and A1, the petitioner and her husband allegedly harassed and threatened the deceased, which drove her to commit suicide. He further submitted that the investigation is still pending. However, he opposed the grant of bail to the Petitioner.

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

6. It is a case of abetment of suicide. The deceased was allegedly involved in an illicit relationship with A1 and had handed over cash and gold jewellery to him. The allegation against the petitioner, who is the wife of A1, is that when the deceased demanded the return of the jewellery, the petitioner threatened and abused her and thereafter, the deceased committed suicide. It is further stated that the deceased had previously attempted to commit suicide on two occasions. Considering the above facts and circumstances of the case, the period of incarceration already undergone by the petitioner and the nature of the allegations levelled against the petitioner, this Court is inclined to enlarge the petitioner on bail 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 at Kallakurichi District,** 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;

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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 15 days 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc 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.

04-11-2026

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.

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To

1.The Judicial Magistrate at Kallakurichi District.

2. The Sub Inspector of Police
Keezhkuppam Police Station,
Kallakurichi District.

3.The Superintendent, Women Prison,
Villupuram District.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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