



Crl.O.P.Nos.4027, 4100 & 4115 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.4027, 4100 & 4115 of 2025

Rohini ...Petitioner/A4 in Crl.O.P.No.4027 of 2025

UmasankarPetitioner/ A5 in Crl.O.P.No.4100 of 2025

1. Balakrishnan

2. Karthick ...Petitioners/A1 & A6 in Crl.O.P.No.4115 of 2025

Vs.

The State represented by,
The Inspector of Police,
Needamangalam Police Station,
Thiruvarur District.
(Crime No.22 of 2025).

... Respondent in all Crl.O.Ps.

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.25 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.Swamisubramanian

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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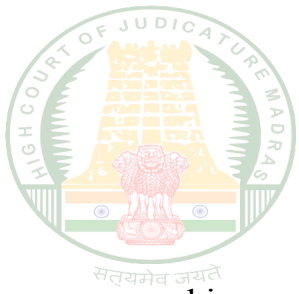
COMMON ORDER

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These Criminal Original Petitions have been filed by the petitioners, who were arrested and remanded to judicial custody on 28.01.2025, seeking bail in Crime No.22 of 2025 registered for the offence under Sections 191(2), 191(3), 296(b), 118(1), 140(4), 127(2), 318(4), 308(5), 351(3) of BNS Act [147, 148, 294(b), 324, 367, 342, 420, 386 & 506(2) of IPC] and Section 4 of TNPHW Act.

2. The case of the prosecution is that the husband of the defacto complainant had obtained a sum of Rs.15 lakhs on the promise of getting a government job for A4, however he could not secure the job and had repaid only a sum of R.11 lakhs and failed to pay the balance of Rs.4 lakhs, due to which, petitioners along with other accused kidnapped the defacto complainant's husband and assaulted him and also forced him to execute two sale deeds in their favour. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and in order to challenge the sale deeds, false complaint has been given by the defacto complainant. He further submitted that the petitioners and the defacto complainant are relatives and known to each other



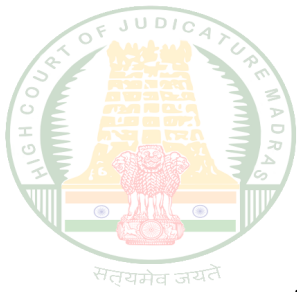
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and in any case, the petitioners are in custody from 28.01.2025 and since further custody is not required, the petitioners may be released on bail.

4. Learned Government Advocate (CrI.Side) reiterated the prosecution case and submitted that the defacto complainant had paid the entire money to the petitioners and have forced the defacto complainant to execute sale deeds in their favour and thus sought for dismissal of this petition.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. The question as to whether the sale deeds were obtained by coercion is a matter to be adjudicated during the trial. Considering, the fact that the case is borne out by documents; period of incarceration and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Needamangalam, Thiruvavarur District.**

[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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down



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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 B.N.S.

18.02.2025

Sma
To

1. District Munsif Cum Judicial Magistrate,
Needamangalam, Thiruvvarur District.
2. The Inspector of Police,
Needamangalam Police Station,
Thiruvvarur District.
3. The Superintendent,
Sub Jail, Mannargudi.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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