



CRL OP NO. 4034 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4034 of 2025

Karthick.M

... Petitioner/A3

Vs.

State Rep By The Inspector of Police,
Belukurichi Police Station,
Namakkal District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.7 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 01.02.2025 seeking bail in Crime No. 7 of 2025 registered for the offences under Sections 140(3), 75(i), 78(i) BNS (Abduction)(364,354(A), 354(D) of IPC)



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2. The case of the prosecution is that A1 had love affair with the victim girl; that A1 to A4 took the victim girl forcibly in a car; married her to A1 and A3/petitioner is the friend of A1. Hence the case.

3. The learned counsel appearing for the petitioner submitted that there is a love affair between A1 and the victim girl, that the petitioner has not taken the victim girl forcibly, the petitioner is innocent, he has been falsely implicated in this case, that he is in custody from 01.02.2025, and in any case further custody of the petitioner is not required for the purpose of investigation, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and on instructions submitted that the petitioner is the friend of A1 and confirms that there was a love affair between A1 and the victim girl.

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



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6. Considering the nature of allegation; relationship between the A1 and the victim girl; period of incarceration; the petitioner is the friend of A1 and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 **Judicial Magistrate- Sendamangalam**.

[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, everyday 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;



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[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 B.N.S.

17.02.2025

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To

1. The Judicial Magistrate- Sendamangalam.
2. The The Inspector of Police,
Belukurichi Police Station,
Namakkal District.
3. The Superintendent,
Central Prison, Salem
4. The Public Prosecutor,
High Court of Madras.

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