



WEB COPY



Crl OP No.4450 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4450 of 2025

1. Desingu @ Dhesigan
2. Selvam @ Selvaganapathy
3. Bakkiaraj

... Petitioners

Versus

State Rep by
The Station House Officer,
Thirunavalur Police Station,
Kallakurichi District.
Crime No.30 of 2025.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest concerned in connection with Cr.No.30 of 2025 on the file of the respondent police.

For petitioners : Mr.R.Parthiban

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)



ORDER

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 142 of BNS Act in Crime No.30 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant and her daughter went to the temple, the petitioners along with other accused came there and abducted the daughter of the defacto complainant.

3. Learned counsel appearing for the petitioners submits that this is a case of love affair and that the allegations are false that the petitioners have abducted the daughter of the defacto complainant and in any case, the custodial interrogation of the petitioners is not required. Therefore, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that it is a case of love affair.



5. Considering the facts and circumstances of the case and nature of allegations, this court is of the view that the custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate Court-II, Ulundurpet** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners shall report before the respondent police station daily at 10.30 a.m., until further orders;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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



Crl OP No.4450 of 2025

[d] 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 are 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]**;

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

20.02.2025

Vv

To

1. The Judicial Magistrate Court-II,
Ulundurpet
2. The Station House Officer,
Thirunavalur Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl OP No.4450 of 2025

SUNDER MOHAN, J.

Vv

Crl.O.P.No.4450 of 2025

20.02.2025