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Crl.O.P.No.5858 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5858 of 2025

Yuvaraj

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Kannankurichi Police Station,
Salem District.

(Crime No.68 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.68 of 2025 on the file of the respondent police.

For Petitioners : Mr.G.Jaisivaramaraj

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 13.02.2025, seeking bail



in Crime No.68 of 2025 registered for the offence under Section 137(2) of BNS, 2023 and Section 75 of JJ Act, 2015.

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2.It is the case of the prosecution that the petitioner is the grandfather of the child studying in the School in which the children of the defacto complainant are also studying; that the petitioner had taken the children of the defacto complainant along with him and had given wrong information about the place where the children found and thus committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the allegations are false; that the petitioner had not kidnapped the children of the defacto complainant and the children were playing with the grand child of the petitioner and there was a miscommunication and subsequently, the children were found and handed over to the defacto complainant and in any case, considering the period of incarceration, the petitioner may be granted bail.



4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed for the grant of bail.

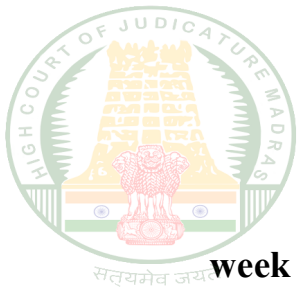
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5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Considering the nature of allegations and the period of incarceration, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, 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 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 **Additional Mahila Court, Salem**, and on further conditions that:

[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;



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[b] the petitioner shall report before the respondent police twice a week i.e., on every Monday and Thursday 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;

[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.

03.03.2025

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- 1.The Inspector of Police,
Kannankurichi Police Station,
Salem District.
- 2.The Additional Mahila Court, Salem.
- 3.Central Jail, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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