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Crl.O.P.No.7785 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.7785 of 2025

M.R.Mithilesh

...Petitioner/Accused-1

Vs.

State rep by
The Inspector of Police,
T-8, Guduvanchery Police Station,
Chennai.
(Crime No.71 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to grant anticipatory bail in the event of arrest in Crime No.71 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.R.S.Manoj Kumar

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



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.71 of 2025 registered for the offences under Sections 309(4) of BNS act.

2.The case of the prosecution is that on 03.03.2025 at about 9.30 am, the defacto complainant went to receive a parcel ordered through the Swiggy App; that at that time, the petitioner and other accused kidnapped the defacto complainant from the gate and demanded a sum of Rs.1,00,000-; that the defacto complainant has arranged a sum of Rs.9,000/- from his sister and friend; and that after receiving the said money, the kidnappers dropped the defaco complainant in main road near his house. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that due to previous enmity, the petitioner has been falsely implicated in this case; that co-accused have been released on bail by the lower Court; that the petitioner has no bad antecedents and since



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custodial interrogation of the petitioner is not required for the purpose of investigation, he sought for grant of anticipatory bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case, confirming the fact that the petitioner has no bad antecedents.

5. Considering the nature of allegation against the petitioner and the fact that the similarly placed co-accused were granted bail by the lower Court and that the petitioner has no bad antecedents and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Chengalpattu** on condition that the petitioner shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each 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 said Magistrate, on further condition 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;

[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;

[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.

18.03.2025

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Copy to:

- 1.The Inspector of Police,
T-8, Guduvanchery Police Station,
Chennai.
- 2.The Judicial Magistrate No.II, Chengalpattu.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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