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CrI.O.P.No.11621 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11621 of 2025

1.Arun
2.Rajamanikkam
3.Poovarasan
4.Prabhu
5.Sundaram

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Gengavalli Police Station,
Salem District.
(Crime No.45 of 2025)

Respondent(s)

For Petitioner(s) : Mr.M.Ravi

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

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.45 of 2025 on the file of the Respondent.

ORDER

The petitioners who apprehend arrest at the hands of the respondent for the offences punishable under Sections 329(2), 87 & 351(2) of BNS, in Crime No.45 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the first petitioner and the defacto complainant's daughter had a love affair, due to which, the petitioner along with other accused abducted the victim girl and thus committed the aforesaid offence.

3. Learned counsel appearing for the petitioners would submit that the allegations are false; that the first petitioner had a love affair with the defacto complainant's daughter; that he is now married to her and in any case, the custodial interrogation of the petitioners is not required and sought for anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirms the fact that the first petitioner had married the victim girl and that the complaint was registered at the instance of the mother of the defacto complainant.

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

6. Considering the fact that the first petitioner had married the victim girl, aged 24 years, that the petitioners 2 to 5 are friends and neighbours of the first



petitioner, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 made ready, before the learned **Judicial Magistrate No.2, Athur, Salem District**, on condition that the petitioners shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 as and when required for interrogation;

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

[d] the petitioners shall not abscond either during



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investigation or trial;

SUNDER MONHAN, J.

drl

[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 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 of B.N.S.

drl

21-04-2025

To

1. The Inspector of Police,
Gengavalli Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

CRL OP No. 11621 of 2025