



Crl.O.P.No.19627 of 2025

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M.NIRMAL KUMAR,J.

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner would submit that this Court, by an order dated 10.07.2025 has granted bail to the petitioner. However in the order copy, **satisfaction Court** has been wrongly mentioned as **Judicial Magistrate No.1, Mettur Dam** instead of **Judicial Magistrate No.2, Mettur Dam**, and in the same requires to be rectified. Hence, he prayed for suitable directions.

3. Registry is directed to carry out the necessary correction and issue order copy afresh.

11.07.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19627 of 2025

Sanjay Prasath

... Petitioner/Sole Accused

Vs.

State, Rep. By
The Inspector of Police
Karumalaikoodal Police Station
Mettur Taluk,
Salem District
(Crime No.291 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation of the case in Crime No.291 of 2025 on the file of the respondent.

For Petitioner : Mr. C. Rajaguru
For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.06.2025, for the offence punishable under Sections 87,137(2) of BNS 2023 in Crime No.291 of 2025, registered on the file of the respondent, seeks bail.

2. The contention of the petitioner is that A1 and the victim girl loved each other and the victim girl said to have eloped with A1. The petitioner/A2 and A3 who are the relatives of A1 helped in kidnapping the victim girl. He further submitted that, victim girl's parents lodged a complaint against the petitioner as though, petitioner had kidnapped the victim girl. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further



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submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further submitted only due to the love affair, A1 and the victim girl has eloped and the petitioner is the sole bread winner of the family. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate(Crl. Side), appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Mettur Dam** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] tthe petitioner shall report before the respondent Police everyday at 10.30 a.m. until further orders;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in



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accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.07.2025

smn

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

1.The **Judicial Magistrate No.1, Mettur Dam**

2.The Inspector of Police
Karumalaikoodal Police Station
Mettur Taluk,
Salem District

3.The Central Prison, Salem

4.The Public Prosecutor,
High Court of Madras.

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