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CrI.O.P.No.26055 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.26055 of 2025

1.Mani
2.Kumar

... Petitioners / A1&A2

Vs.

The State by:
The Inspector of Police,
Jalakandapuram Police Station,
Salem District.
(Crime No.254 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in respect of Crime No.254 of 2025 on the file of the Inspector of Police, Jalakandapuram Police Station, Salem District, pending investigation.

For Petitioners : Mr.B.Kumarasamy
For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)



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ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **318(4), 316(2) and 82(2) of BNS Act, in Crime No.254 of 2025**, on the file of the respondent Police, seek anticipatory bail.

2. The allegation is that these petitioners joined hands with the other accused arranged bride for the defacto complainant suppressing the fact that the bride was already married and she is having two children and the petitioner is also collected money as a commission. Hence, the case.

3. The learned counsel for the petitioners submitted that in the FIR petitioners have been arrayed as brokers. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case. He further submitted that the co-accused had already arrested and released on bail by this Court in Crl.O.P.No.25117 of 2025, dated 23.09.2025. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the fact that the marriage conducted with the defacto complainant by suppressing the earlier marriage of the bride, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 made ready, before the learned **Judicial Magistrate No.II, Mettur**, on condition that the petitioners shall execute a separate 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 learned Magistrate concerned and on further condition that:

(a) If the petitioners fails to surrender before the concerned Magistrate, within a period of fifteen days from



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the date of receipt of a copy of this order, this order shall stand automatically cancelled;

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

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

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

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To

1.The Judicial Magistrate No.II, Mettur.

2. The Inspector of Police,
Jalagandapuram Police Station
Salem District.
(Crime No.254 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.,

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