



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29499 of 2025

1. Raja
2. Baby @ Devi
3. Sankar
4. Viswanathan

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kannankurichi Police Station,
Salem District 636 008.
(Crime No.319 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.319 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Suryaprakash

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

**ORDER**

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The petitioners, who apprehends arrest for the alleged offence punishable under Sections 329(3), 296(b), 115(2), 76, 351(2) of BNS r/w Section 4 of TNPHW Act in Crime No.319 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation of the petitioners is that the 1st and 2nd petitioner's daughter has gone missing, hence they along with others went to the house of the defacto complainant and questioned the whereabouts of the victim girl and they are also attacked the defacto complainant and her family members with weapons. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that the petitioners went to the defacto complainant's house to enquire about the missing girl and they have not attacked anyone. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the injured discharged from the hospital and there was no previous case is pending against the petitioners and the investigation is pending.



Further, it is revealed that the missing girl is also with the defacto complainant's family members. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the injured discharged from the hospital, no previous case is pending against the petitioners and 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate IV, Salem*, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and 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 petitioners shall report before the respondent police daily at 10.30 a.m., for the period of two



weeks and thereafter as and when requires for interrogation;

(c) the petitioners shall not tamper with evidence or

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(d) the petitioners shall not abscond 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 petitioners in accordance with law as if the 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) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

30.10.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this



Court.

Crl.O.P.No.2949



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.

To

- 1.The Judicial Magistrate IV, Salem.
- 2.The Inspector of Police,
Kannankurichi Police Station,
Salem District 636 008.
- 3.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.2949



K. RAJASEKAR, J.

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Crl.O.P.No.29499 of 2025

30.10.2025