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CrI.O.P.No.3173



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.O.P.No.31736 of 2025

Kishore

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Thiruchengode Police Station,
Namakkal District.
(Cr.No.388 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.388 of 2025 on the file of the respondent police, pending investigation.

For Petitioner : Mr.S.Kasirajan

For Respondent : Mr.A.Gopinath,

Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on **26.10.2025** for the alleged offence **under Section 140(3), 62 of BNS altered to 140(3), 62 & 56 of BNS, 2023** in **Crime No.388 of 2025** on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he, in collusion with other accused persons, attempted to abduct and murder a couple since the couple



belongs to different castes. The defacto complainant, immediately rushed to the police station and lodged a complaint and therefore, the petitioner, along with the other accused, were arrested. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner along with other accused persons attempted to abduct the victim from just opposite to the police station which is also not believable. He further submitted that the co-accused already granted bail by this Court in Crl.O.P.No.31445 of 2025 dated 17.11.2025. Since the petitioner is under incarceration he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that it is a case of attempted abduction for committing other serious offences. The petitioner was arrested on 26.10.2025, and not having previous bad antecedents. Some of the accused are also absconded, hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case; taking note of the submissions made by the learned Government Advocate (Crl.Side); the period of incarceration undergone by the petitioner and also the fact that the co-accused already granted bail by this Court in Crl.O.P.No.31445 of 2025 dated 17.11.2025 and the petitioner is not having previous bad antecedents, this Court is inclined



to grant bail to the petitioner subject to certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Tiruchengode**, 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 Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., for the period of three weeks and thereafter as and when required for investigation;

[c] On breach of any of the aforementioned conditions,

the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in 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]**;



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

20.11.2025

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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.

To:

1. The Judicial Magistrate, Tiruchengode.
2. The Inspector of Police, Thiruchengode Police Station, Namakkal District.
3. The Jailer, Sub-Jail, Tiruchengode.
4. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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