



Crl.O.P.No.3286



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32862 of 2025

Ganesamoorthi

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Valathy Police Station,
Villupuram District.
(Crime No.218 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in connection with Crime No.218 of
2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.AV Balusamy

For Respondent : Mr.A.Gopinath,



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Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.10.2025, for the alleged offence punishable under Sections 329(4), 296(b), 140(2) and 308(4) of BNS in Crime No.218 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner is a cab driver, was engaged by A1 for the purpose of abduction and ransom by joining with other accused. Accordingly, he participated in the occurrence, and A1 and other accused went to the house of the de facto complainant and, with knife point, abducted him and brought him in the petitioner's car and transported him to various places. On the way, the police, on suspicion, chased them, hence, they dropped the victim and other belongings and escaped from there, hence a



complaint was lodged.

3. The learned counsel for the petitioner submitted that the petitioner is a cab driver and has been falsely implicated and he was not aware of the purpose for which the vehicle was engaged. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that though it seems that the petitioner is a cab driver but he was aware of the consequences and also he was aware the purpose for which the vehicle was engaged. He further submitted that out of sixteen accused, only three accused were arrested and investigation is pending. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the fact that the petitioner is a cab driver and statements also revealed that at the time of engaging, he was not aware about the purpose for which the vehicle was engaged and only on the way, he was intimidated, and A1 directed him to cooperate with him. Considering the above circumstances and the fact that the victim is secured and his vehicle and property are also secured, I am inclined to grant bail, taking note of the overt act of the petitioner with certain



conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate, Gingee*, and on further conditions 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the



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learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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 B.N.S.

01.12.2025

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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.

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To

1.The Judicial Magistrate, Gingee.

2.The Inspector of Police,
Valathy Police Station,
Villupuram District.

3.The Sub Jail, Gingee.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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