



Crl.O.P.No.34188 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34188 of 2025

1.Sakthivel
2.Santhosh
3.Dharmalingam
4.Arumugam

... Petitioners

Vs.

State Rep By,
The Inspector of Police,
Kuvagam Police Station,
Ariyalur District.
Crime No.154 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.154 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Vignesh
For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



WEB COPY



Crl.O.P.No.34188 of 2025

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 127(2), 296(b), 118(1), 140(1) & 351(2) of BNS, in Crime No.154 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The allegation against the petitioners is that petitioners had a grudge against the defacto complainant for kidnapping their family member Sandhiya, leading to filing a habeas corpus petition, due to which, petitioners colluded, abducted the defacto complainant, harassed him and recorded video statements. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the case registered against them was fabricated by the respondent police due to a case filed by the petitioners against the defacto complainant and there is also a specific allegations against the police personnel. He further submitted that the victim (Sandhya) has also been rescued. Therefore, the learned counsel seeks anticipatory bail for the petitioners.



Crl.O.P.No.34188 of 2025

WEB COPY

4 .The learned Government Advocate (Crl. Side) reiterated the prosecution's case and submitted that originally a man missing complaint was lodged. Subsequently, upon investigation, it revealed that these petitioners have abducted the defacto complainant and based on the statements recorded from the defacto complainant, a man missing case was altered and a new Crime No.154 of 2025 was registered, under Sections 127(2), 296(b), 115(2), 118(1), 140(1), 351(3) of BNS. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

5.Considering the nature of allegations alleged and other circumstances of the case and since custodial interrogation of the petitioners are not necessary for the case of this nature, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Sendurai** on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)**



CrI.O.P.No.34188 of 2025

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 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 Court concerned daily at 10.30 a.m., for a period of three 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]**;



WEB COPY



CrI.O.P.No.34188 of 2025

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

15.12.2025

gbi

To

1.Judicial Magistrate, Sendurai.

2.The Inspector of Police,
Kuvagam Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.34188 of 2025

K.RAJASEKAR, J.

gbi

Crl.O.P.No.34188 of 2025

15.12.2025