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Crl.O.P.No.35647 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35647 of 2025

1.Chandrasegaran
2.Vengadesh

... Petitioners / A1 & A2

Vs

The State, Rep. by
The Inspector of Police
Katterikuppam Police Station
Puducherry
Crime No.120 of 2025.

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., 2023 praying to enlarge the petitioners / Accused No.1 & 2 on anticipatory bail in the event of their arrest in Crime No.120 of 2025 on the file of the respondent police and pass orders.

For Petitioners : Mr.M.Prabu

For Respondent : Mr.M.V.Ramchandramurthy
Public Prosecutor (Pondicherry)

ORDER

The petitioner / Accused Nos.1 & 2 who apprehend arrest in the hands of the respondent police for the offences punishable under Section 126(2), 137(2), 351(2) and Section 3(5) of BNS Act, in connection with Cr.No.120 of 2025, seek anticipatory bail.



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2. The case of the prosecution is that the first petitioner had attempted to kidnap his biological son who is at his mother-in-laws custody at Puducherry. Hence, the mother-in-law of the first petitioner, who is the defacto complainant had lodged a complaint.

3. The learned counsel appearing for the petitioners submitted that the first petitioner who is the natural guardian of the minor child under law, had visited his in-laws place to meet her son. However, a criminal color has been given and a false case has been lodged by the defacto complaint, as if the first petitioner had come to snatch the minor child. The petitioner had not attempted to indulge in any crime as alleged by the prosecution. The learned counsel further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the defacto complainant is the mother-in-law of the first petitioner and the grand mother of the minor son. There appears to be a matrimonial dispute between the first petitioner and his wife, who is



staying abroad. The learned Government Advocate on instructions submitted that there are no previous case pending as against the petitioners. However, he reiterated the prosecution case and opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel and also the learned Government Advocate and also perused the materials available on record.

6. Considering the nature of offence and the first petitioner is none other than the father of the minor child and that the mother of the minor child is also working in abroad and there appears to be a matrimonial dispute between the first petitioner and his wife, and that there is no previous case pending as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.IV, Puducherry**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties



for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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[a] the petitioners shall report before the respondent-police on every Saturday at 10.30 a.m., for a period of four weeks.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

ds/dn



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Note :

- 1. Registry is directed to forthwith upload this order in the official website of this Court.*
- 2. All concerned shall act on this order being uploaded in the official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.*

To:

1. The Judicial Magistrate No.IV
Puducherry.
- 2.The Inspector of Police
Katterikuppam Police Station
Puducherry.
- 3.The Public Prosecutor
High Court, Madras.
- 4.The Public Prosecutor
Pondicherry.



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P.DHANABAL, J.,

ds/dn

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