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CRL OP No. 530 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CRL OP No. 530 of 2026

1. Prakash
2. S.Sathish Kumar
3. Manoj.R
4. Manohar

..Petitioner(s)

Vs

State Rep by inspector of Police
R-10, M.G.R. Nagar Police station
Chennai district
(Crime No. 430 of 2025)

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the Petitioners on Bail, in the event of their arrest by the Respondent in the Crime No 430 of 2025.

For Petitioner(s): Mr.Berlin Prabhu

For Respondent(s): Ms.J.R.Archana, GA (Crl. Side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the offences punishable under Sections 106(1) of BNS, Section 79 of Juvenile Justice Act and Section 14(1) of the Child and Adolescent labour (Prohibition



and regulations Act) in Crime No.430 of 2025 seek anticipatory bail.

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2.The allegations against the petitioners are that they engaged a 15-year old boy for construction activity and while so engaged, the said boy accidentally fell from the second floor of the building and succumbed to the injuries, resulting in his death on 14.12.2025. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners had not engaged the deceased for any construction work. The learned counsel contended that the deceased had only accompanied and assisted his father at the site, and during such time, the unfortunate incident occurred, therefore, the petitioners cannot be held responsible for the alleged occurrence and prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and submitted that the petitioners were fully aware of the engagement of the deceased minor boy in the construction activity and investigation in this case is still pending. Hence, she opposed for the grant of anticipatory bail to the petitioners.

5. Considering the nature of allegation, the submissions made by learned counsel appearing on either side and this Court is of the view that the custodial



interrogation of the petitioners is not necessary and inclined to grant anticipatory bail to the petitioners.

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6. Accordingly, the petitioners are ordered to be released on anticipatory 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 Metropolitan Magistrate, Saidapet* on condition that each of 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, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**
- (c) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (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 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]*; and;

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

02-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Inspector of Police

R-10, M.G.R. Nagar Police station

Chennai district.

2. Metropolitan Magistrate, Saidapet.

3. The Public Prosecutor,

High Court of Madras.



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K.RAJASEKAR, J.

JAI

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