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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1698 of 2026

Babu

... Petitioner

Vs

State of Tamil Nadu,
rep. By, Inspector of Police,
Bargur Police Station,
Krishnagiri.
(Crime No.2 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.2 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr.T. Balaji
For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
04.01.2026, for the offences punishable under Sections 137(2) of BNS,2023
altered to 115(2), 118(1), 127(2), 140(2), 296(b),351(3) of BNS 2023 in
Crime No.2 of 2026, registered on the file of the respondent police, seeks
bail.



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2. The case of the prosecution is that the petitioner along with other accused involved in abducting the husband of the defacto complainant for the purpose of getting back a sum of Rs.28,00,000/- which was transferred into the husband of the defacto complainant by the accused group. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and he is in judicial custody from 04.01.2026. He further submitted that the petitioner is ranked as A3 and the main accused is A1 and the petitioner is ready to abide by any conditions that may be imposed by this Court and the Court below has granted anticipatory bail to one of the co-accused. Hence, prays to grant bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there are totally five accused in this case and the petitioner herein ranked as A5 and now the victim was secured and there is no previous case pending against the petitioner. Hence, he



opposed to grant bail to the petitioner.

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5. Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and anticipatory bail was granted to the co-accused by the Court below and the victim is now secured and there is no previous case pending against the petitioner, I am inclined to grant bail to the petitioner herein with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 Judicial Magistrate-I, Krishnagiri 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 a period of three weeks and thereafter, as and when required for interrogation;



[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

27.01.2026

smn

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 The Inspector of Police,
Bargur Police Station,
Krishnagiri.

2. The learned Judicial Magistrate-I, Krishnagiri

3. The Superintendent, Central Prison, Vellore

4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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Crl.O.P. No.1698 of 2026

27.01.2026