



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6221 of 2026

Simon George

..Petitioner

Vs

State rep.by,
The Inspector of Police,
Bommiddi Police Station,
Dharmapuri District.
Cr.No.164/2025.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.164 of 2025 pending investigation on the file of the Inspector of Police, Bommiddi Police Station, Dharmapuri.

For Petitioner:

Mr.M.Selvam

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.02.2026 for the alleged offences under Section Girl Missing @ 137(2), 96 of Bharatiya Nyaya Sanhita, 2023 @ 137(2), 96, 238, 49 of BNS (Section 363, 366A, 201 and 109 of Indian Penal Code, 1860) in Crime No.164 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto complainant is the mother of a minor girl aged about 16 years studying in 10th standard. On 26.09.2025 at about 8.00 p.m., the minor girl went to a nearby shop and did not return home. Later, the defacto complainant came to know that the minor girl had allegedly gone along with the first accused and hence the present case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only the lodge owner where according to the prosecution the victim and the accused allegedly stayed for some time. He would further submit that the co-accused have already been released on bail in Crl.O.P.No.1657 of 2026 dated 27.01.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent strongly opposed the bail application on the ground that the minor girl has still not been traced out and the petitioner has not disclosed any information regarding the whereabouts of the minor.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. Considering the submission made by both sides and the allegation levelled against the petitioner, though the submission of the learned Government Advocate carries some weight, considering the period of incarceration undergone by the petitioner since 26.02.2026 and also considering the fact that the co-accused have already been released on bail on 27.01.2026 in Crl.O.P.No.1657 of 2026, this Court is inclined to extent parity to the petitioner and enlarge him on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the **learned Principal District and Session Judge, Dharmapuri**, and subject to the following conditions:

[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 report 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] 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

12-03-2026

NSL

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 Principal District and Session Judge, Dharmapuri
2. Sub Jail, Harur.
3. The Inspector of Police, Bommiddi Police Station, Dharmapuri District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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