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Crl.O.P.No.6547 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.6547 of 2026

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... Petitioner/A1

Vs.

State Rep. by
Inspector of Police,
T-6, Avadi Police Station,
Thiruvallur District.
(Crime No.10 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.10 of 2026 on the file of the respondent police.

For Petitioner	:	Mr.G.Balachandar
For Respondent	:	Mr.P.Dhileepan Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 126(2), 308(2), 351(3) of BNS, Act in Crime No.10 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the defacto complainant and the petitioner had a business relationship and since the defacto



complainant had some dues to be paid to the petitioner, the petitioner has kidnapped the defacto complainant's son and let him off on the same day. However, the petitioner took found 10 sovereigns of gold jewels and a cash of Rs.22,30,000/- from the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the defacto complainant and he has been falsely implicated in this case and that the occurrence took place on 02.01.2026 and that the FIR was registered on 06.01.2026. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that though the learned Government Advocate (Crl.Side) would strongly oppose this anticipatory bail application would submit that this is the third application of the petitioner and that there was a business relationship between them for a quite long time.

5. Heard the submissions made by the learned counsel on either side and also perused the materials available on record.



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6. Considering the business relationship between the petitioner and the defacto complainant and also the fact that the complaint was registered on 06.01.2026, this Court is of the firm view that this application may be considered positively with a stringent condition. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

78. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Poonamallee**, on condition that **the petitioner shall execute 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 learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;



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(c) The petitioner shall sign before the respondent police daily at 10.30 a.m., and 5.30 p.m., until further orders; and that no relaxation petition will be entertained for a period of thirty days;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

13.03.2026

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To:

- 1.The Judicial Magistrate No.II, Poonamallee.
- 2.The Inspector of Police, T-6, Avadi Police Station, Thiruvallur District.
- 3.The Public Prosecutor, High Court of Madras.

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