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CRL O.P. No.11168 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2026

CORAM

The Hon'ble Mr.Justice P.DHANABAL

Crl. O.P. No.11168 of 2026

Pushparaj

... Petitioner/A1

VS

The State by
The Inspector of Police
Bommidi Police Station
Dharmapuri District.
[Crime No.164/2025]

... Respondent

PRAYER: - Criminal Original Petition filed under Section 483 of BNSS Act praying to grant bail to the petitioner pending investigation in Crime No.164/2025 on the file of the respondent Police.

For Petitioner	:	Mr.B.Sundarapandiyan
For Respondent	:	Mr.S.Vinothraja Government Advocate (Crl.side)

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 05.04.2026 for the offences punishable under Sections 137(2), 96, 238 and 49 of BNS in Cr. No.164/2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the de-facto complainant is mother of the minor child aged about 16 years and on 26.09.2025, the minor child gone to the shop but she did not come back. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner. The petitioner is an innocent person and he is nothing to do with the alleged offences. He is in judicial custody from 05.04.2026. He further submits that the co-accused have already been granted bail by this Court. Therefore, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with co-accused has kidnapped the girl child of the defacto complainant. Based on the complaint given by the defacto complainant, the case was registered against the petitioner. It is further submitted that the girl has not been found yet. The petitioner is an unnamed accused in the FIR and there are no previous cases pending against the petitioner. However, he strongly opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that no previous case is pending against this petitioner and also considering the incarceration period of this petitioner from 05.04.2026 and also taking note of the fact that the petitioner's name does not find place in the FIR, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Pappireddipatti** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;



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[e] the petitioner 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 or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

13.05.2026

Index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order
mp

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.



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To

1. The Judicial Magistrate, Pappireddipatti
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, Bommidi Police Station, Dharmapuri District.
4. The Sub Jail, Dharmapuri.



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P.DHANABAL,J

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