



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15332 of 2026

1. Perumal
2. Elavarasan

..Petitioners

Vs

State Represented by,
Inspector of Police,
Perambalur Police Station,
Perambalur District.
Crime No.254 of 2026

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.254 of 2026 on the file of the respondent police.

For Petitioners:

Mr.D.Jagan

For Respondent:

Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 296(b), 74 & 138 of B.N.S. in Crime No.254 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that due to a matrimonial dispute, the father and mother of the defacto complainant separated and the mother was staying with the defacto complainant. On 27.04.2026, at about 5:30 p.m., the



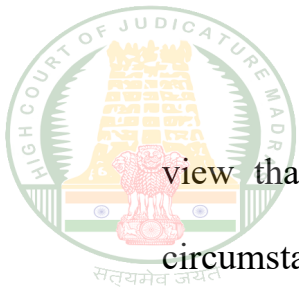
first petitioner, who is the father of the defacto complainant, along with the second petitioner, went to the residence of the defacto complainant and quarrelled with the mother. Thereafter, they forcefully took the mother away in a car. Therefore, the respondent police registered a case.

3. The learned counsel appearing for the petitioners submits that no such occurrence took place as alleged in the complaint. The first petitioner merely went to the house of the complainant to sort out the family issue and meet his wife. However due to prior enmity, the de facto complainant who happens to be the daughter, lodged a false complaint against her own father to settle family scores. It is further submitted that the co-accused have already been granted bail. Therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and opposed to grant anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case and taking note of the submissions made by the learned counsel on both sides, this Court of the

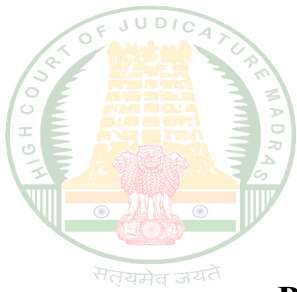


view that this is case of kidnapping of the first petitioner's wife. In such circumstances, taking into consideration of the familial relationship between the defacto complainant and the petitioners and the matrimonial discord between the first petitioner and his wife, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Court No.1, Perambalur**, on condition that **the petitioners shall execute a bond each 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 petitioners fails to surrender before the concerned learned 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 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;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

18-06-2026

NSL

To

1. The Inspector of Police,
Perambalur Police Station,
Perambalur District

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate Court No.1, Perambalur.



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C.KUMARAPPAN, J.

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