



Crl.O.P.No.20309 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on : 22.07.2025

Pronounced on: 25.07.2025

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.20309 of 2025

1. Vanaraj, M/A-52 years,
S/o.Venkatasamy,
D.No.25 A, Sengulam, Thangammalpuram,
Andipatti Taluk, Myladudumparai Kamalaigundi,
Theni District.

2. Manikandan, M/A-49 years,
S/o.Pandian,
D.No.384, Suppa Nayakkar Street,
Andipatti Taluk, Myladudumparai Kamalaigundi,
Theni District.

3. Ganesan, M/A-47 years,
S/o.Manokaran,
D.No.66, Nariyuth Main Road,
Sengulam, Thangammalpuram,
Andipatti Taluk,
Myladudumparai Kamalaigundi,
Theni District.

... Petitioners/A-1, 3, 2

/versus/

The State represented by,
The Deputy Superintendent of Police,
CB-CID, Tiruvallur District.
(Crime No.1/2025)

... Respondent/Complainant



Crl.O.P.No.20309 of 2025

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Prayer:- Criminal Original Petition has been filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, pleaded to enlarge the petitioners on bail in connection with Crime No.1 of 2025, pending on the file of the respondent police.

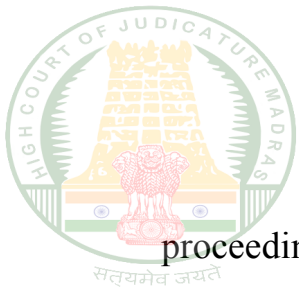
For Petitioners : Mr.R.Vivekananthan

For Respondent : Mr.J.Ravindran,
Additional Advocate General,
Assisted by Mr.R.Muniyapparaj,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition is filed seeking to enlarge the petitioners on bail in connection with Crime No.1 of 2025, pending on the file of the respondent police.

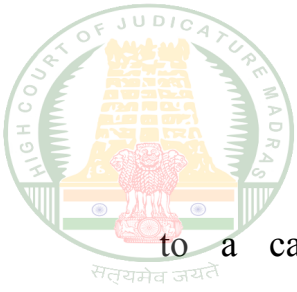
2. The petition for bail has been filed by three accused in Crime No.101 of 2025, which was registered on 07.06.2025 by the Thiruvallangadu Police Station for the offences under Section 189(2), 329(4) and 140(3) of *Bharatiya Nyaya Sanhita (BNS), 2023*, against five identifiable but unknown persons. The case was subsequently transferred to the CB-CID based on the



CrI.O.P.No.20309 of 2025

proceedings of the DGP/HoPF, Tamil Nadu, Rc.No.002454/Crime I(1)/2025, dated 23.06.2025, for further investigation and new case registered in Crime No.1 of 2025 on the file of CB-CID, Tiruvallur, for the offences under Sections 189(2), 329(4), 140(3), 332(b), 140(1) and 61(2) of BNS, 2023.

3. The First Information Report came to be registered based on the written complaint given by one Tmt.Y.Lakshmi to the Thiruvallangadu Police Station on 07.06.2025 at 14.00 hours. In the written complaint, she has stated that her elder son, Danush, had an affair with a girl by name, Vijaya Shree from Theni District. They got married as per Self-Respect Marriage Scheme. In this regard, she went to the office of the Superintendent of Police, Tiruvallur, on 09.05.2025 and reported about the matter, fearing repercussions from the family of Vijaya Shree. Subsequently, on 07.06.2025, midnight, half past twelve, five identifiable persons came in two cars bearing Reg.No.TN-12-BC-6777 and KA-50-MA-1746. They trespassed into her house and abducted her younger son, Inderchand a minor who was sleeping in the first floor. Immediately, she called the police control room by dialling 100 and informed about the abduction and later, she came to know that her minor son was subjected to physical and mental torture and shifted



CrI.O.P.No.20309 of 2025

to a car bearing Reg.No.TN-06-G-0606. He was later abandoned near Perambakkam Bus stand at about 3.00 p.m. Therefore, she had requested to take necessary steps against the persons involved.

4. Based on the above complaint, the Inspector of Police, Thiruvallangadu Police Station had arrested Vanaraj, the father of the girl Vijaya Shree and two others on 07.06.2025. Pursuant to the confession given by Vanaraj (A1), it has been brought to light that to retrieve his daughter who had eloped with Danush had approached one Maheswari and as per her plan, she came to Chennai along with Tr.Ganesan, Tr.Jayapandian and Tr.Kannan. Together with Maheswari, they met one Tr.M.Jaganmoorthy, M.L.A., who arranged five persons and sent them in two cars with instructions to pick up any person available in the house of the complainant. On his instruction, they abducted Inderchand, the brother of Danush.

5. Yet another accused, Tr.Sarath Kumar was arrested on 11.06.2025. In his confession statement, he had admitted that he is the owner of the vehicle bearing Reg.No.TN-12-BC-6777. On the instructions of Tr.M.Jaganmoorthy,



Crl.O.P.No.20309 of 2025

M.L.A., he along with others went to the house of Danush and abducted his brother Inderchand.

6. In the aforesaid circumstances, the petitioners who were arrested on 07.06.2025 have moved the bail application, stating that a compromise between the complainant family and the first accused family had arrived and they are ready to formalise the marriage between Danush and Vijaya Shree. In view of the same, the petitioners be released on bail.

7. The said bail petition is opposed by the Investigating Officer, Deputy Superintendent of Police, CB-CID, Kancheepuram, on the ground that further custodial interrogation of the accused persons is necessary by CB-CID and all other persons suspected to have been involved in this case have to be enquired further. The preliminary investigation, based on a scientific evidence by collection of CCTV footages and the confession statements of the accused persons reveal that if the accused are released on bail, there is possibility of tampering witness and likelihood of repetition of the offence.



Crl.O.P.No.20309 of 2025

WEB COPY

8. This Court, on hearing the submissions of the Learned Counsel for the petitioners and the Learned Additional Public Prosecutor appearing for the respondent/State, called for the Case Diary (CD) to ascertain the stage and progress of investigation.

9. On 22.07.2025, Mr.J.Ravindran, Learned Additional Advocate General for the respondent, appeared before this Court and filed a status report regarding the investigation carried out in this case.

10. After narrating the background of the case and the *overt act* committed by the petitioners in the crime of abduction, with the help of Maheswari, Tr.Sarath Kumar, Tr.David, Tr.M.Jaganmoorthy, M.L.A and Tr.H.M.Jayaram, I.P.S., ADGP which is strongly fortified through CCTV footages collected from Motel Highway, Thirumazhisai as well as the confession statements of the accused persons, also stated that Tr.H.M.Jayaram, I.P.S., ADGP., had actively participated in the crime by providing his official car bearing Reg.No.TN-06-G-0606 and by sparring a Police Constable to drive the vehicle, in which the

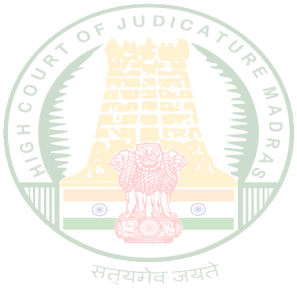


Crl.O.P.No.20309 of 2025

abducted person was taken. The said driver is still absconding and a team of police constituted to secure him and others.

11. The Learned Additional Advocate General for the respondent further submitted that Tr.M.Jaganmoorthy., M.L.A., has obtained anticipatory bail from the Hon'ble Supreme Court of India and Tr.H.M.Jayaram, I.P.S., ADGP is placed under suspension. The direction of the High Court of Madras to secure Tr.H.M.Jayaram, I.P.S., and take action against him been set aside by the Hon'ble Supreme Court in Special Leave Petition (Criminal) D.No.33224 of 2025.

12. The statements of witnesses Danush, Vijaya Shree, Ramesh and Kalaiselvan recorded on 25.06.2025 and the statement of the complainant Lakshmi and other family members was recorded on 28.06.2025. On 01.07.2025, witness Mohan was examined and his statement recorded; on 04.07.2025, witness Tr.Elanchezhiyan was examined and his statement recorded and on 06.07.2025 witness Tr.Ragunathan was examined and his statement recorded. So far, five persons, including the petitioners herein arrested and with the permission of this Court, custodial interrogation was conducted.

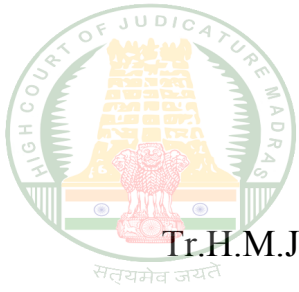


CrI.O.P.No.20309 of 2025

WEB COPY

13. From their statements, the involvement of one Tr.Devaraj, driver of the vehicle used in abducting Inderchand and one Kumar @ Sweet Kumar has come to light. A Special Team is constituted to secure the said Tr.Devaraj and Kumar @ Sweet Kumar. They both have played a crucial role in the abduction, as per the confession of the accused persons interrogated. The arrest and custodial interrogation of these two accused are necessary to bring out the entire conspiracy. Hence, sincere efforts are been taken to secure them at the earliest.

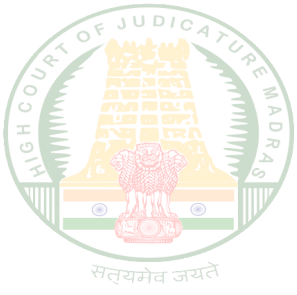
14. Further, the status report in a form of affidavit also proceeds to say that on 14.07.2025 and 15.07.2025, the Security Personal namely, Tr.Kanniappan and Tr.Vinayagam, Manager at Motel Highway, Poonamallee, who were present on the date of incident were enquired and their statements were recorded on 18.07.2025. It is stated in the report that continuous efforts are being taken to arrest the remaining accused who are suspected in this case. For which, three Special Teams are constituted to secure them. The Investigating Officer is also in the process of summoning the police driver, Tr.Devaraj, who had driven the vehicle bearing Reg.No.TN-06-G-0606. Tr.M.Jaganmoorthy, M.L.A and



Crl.O.P.No.20309 of 2025

Tr.H.M.Jayaram, I.P.S., ADGP, will also be summoned at the earliest and their statements will be recorded.

15. Had this been an ordinary case of abduction of a person and matter confined with two families, the task of this Court to consider the bail petition would have been much simple. Unfortunately, this is a case where the abduction alleged to have been designed in connivance with a sitting Member of the Legislative Assembly and a senior Police Official of All India Police Service. The call records between the accused persons as well as the CCTV footages shows a very strong suspicion about the involvement of a powerful Politician and a senior Police Officer. No doubt, they have right and wherewithal to approach the highest Court of this Country and get protective order. However, such protection is only from detaining them and not an immunity from interrogation. The pace in which the investigation is being conducted by CB-CID, as stated by the Investigating Officer himself, is a clear proof that the Investigating Officer is scared to reach the powerful persons. The investigation is moving in snail pace expecting something else to happen.



Crl.O.P.No.20309 of 2025

WEB COPY

16. The status report filed after the bail petition and pursuant to the directions of this Court indicates that the Investigating Officer is proposed to summon the police driver Tr.Devaraj, who is directly involved in the crime as well as Tr.M.Jaganmoorthy and Tr.H.M.Jayaram, who had contributed their men and power for commission of crime. The reason for not summoning them so far, not explained in the status report. The reason for not conducting identification parade of the suspects also not explained.

17. Across the bar, Mr.J.Ravindran, Learned Additional Advocate General appearing for the respondent states that summons issued for appearance of Tr.H.M.Jayaram, I.P.S., on 24.07.2025.

18. In the counter to the bail petition, the Investigating Officer had stated that the arrest and custodial interrogation of the absconding accused persons is essential and before that, if the petitioners are released on bail, they will tamper the investigation. There is no good reason provided in the counter or found in the Case Diary (CD) to understand why the other suspects neither arrested nor

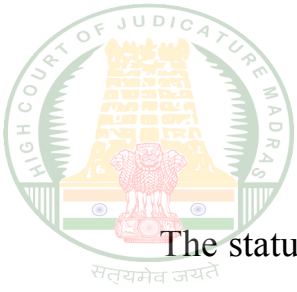


Crl.O.P.No.20309 of 2025

interrogated. In the two orders of the Hon'ble Supreme Court of India mentioned in the affidavit of the Investigating Officer, this Court finds no bar to interrogate the suspects.

19. This is not a case to be conveniently closed as a private dispute between two families and they had arrived at a compromise. It is a case of criminal trespass during night and abduction of a minor boy by force under fear of death. It is a classic case of the abuse of Government machinery to commit a crime for extraneous considerations. Several lakhs of rupees is recovered from the 1st accused, which was meant to pay the hirelings and their Masters. This Court constrain to place on record, this incident and subsequent follow up events had caused serious concern about the life and liberty of common men and a reasonable apprehension in their mind as to whether this great Nation drifting towards '*Police Raj*'.

20. Though the investigation done by the local police was transferred to CB-CID *vide* proceedings of the DGP/HoPF, Tamil Nadu, dated 23.06.2025, no substantial progress in the investigation could be seen from the Case Diary (CD).

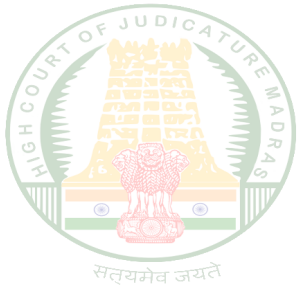


Crl.O.P.No.20309 of 2025

The status report about the action taken so far and the proposed action to be taken in future does not inspire confidence about the investigation done by CB-CID so far. The delay in the investigation has already provided adequate space for intimidating and tampering witnesses, which is implicitly seen from the averments made in the bail petition filed by the petitioners/accused 1, 2 & 3.

21. This Court is of the view that, since one of the suspect in this case is an I.P.S., cadre Police Officer and another suspect is a leader of a powerful political party in the State and also a sitting Member of the Legislative Assembly, the Investigating Officer who is inferior to the rank of the accused is unable to make enough headway in the investigation. However, this Court still believes that the course of investigation, as proposed by the Investigating Officer in his affidavit, will be carried in due course and expeditiously, thereby will restore the public faith on Police and Judiciary.

22. In fine, considering the objection of the respondent that the prime accused are yet to be secured and the release of the accused persons may cause hurdle in the progress of the investigation, the bail petition stand dismissed.



Crl.O.P.No.20309 of 2025

WEB COPY

23. Accordingly, this ***Criminal Original Petition No.20309 of 2025***

stands dismissed.

25.07.2025

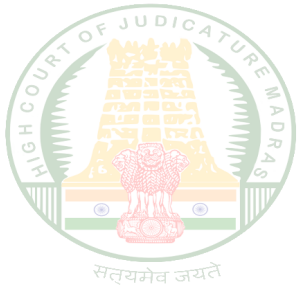
Index :Yes/No.

Neutral citation :Yes/No.

bsm

To,

1. The Judicial Magistrate-I, Tiruvallur.
2. The Principal District and Sessions Judge, Tiruvallur.
3. The Deputy Superintendent of Police, CB-CID, Tiruvallur District.
4. The Superintendent of Police, Central Prison, Puzhal.
5. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.20309 of 2025

Dr.G.JAYACHANDRAN,J.

bsm

Pre-delivery order made in
Crl.O.P.No.20309 of 2025

25.07.2025