



CrI.O.P.No.28465 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.28465 of 2023

Dr.Anuradha W/o. Arjunan

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
Thiruchengodu Town Police Station,
Thiruchengodu,
Salem District.

(Crime No.311 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.311 of
2023 on the file of the respondent police, on such terms and conditions.

For Petitioner : Mr.Om Sai Ram

For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI. Side)



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ORDER

The petitioner/A2 seeks bail in Crime No.311 of 2023 registered by the respondent police for the offences punishable under Sections 81 & 87 of Juvenile Justice (Care and Protection of Children) Act, 2015. The petitioner had been taken into custody on 16.10.2023.

2. The petitioner had been added as an accused on the confession statement of A1. The provision of law had also been altered to also include under Sections 120B & 370(4) of IPC and Sections 81 & 87 of Juvenile Justice (Care and Protection of Children) Act, 2015.

3. The learned counsel for the petitioner states that the petitioner is a Senior Assistant Surgeon in Government hospital at Tiruchengode and the only allegation as against the petitioner is that she had given photographs of newly born infants and Aadhar Card details of the parents to the 1st accused.

4. The case of the prosecution however is that A2, A3 and A4 are brokers, who had actively involved in procuring young children for sale. The petitioner was also directly involved in the said offence. Whats App



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messages had been exchanged between the petitioner and the 1st accused and it is also seen that the 1st accused, consequent to such messages, had gone over to the house of the one of the victim, who had three girl children and tried to purchase one child and sell her to anybody, who requires such children.

5.This is the second bail application. The earlier application seeking bail in Crl.O.P.No.25056 of 2023 was dismissed on 01.11.2023.

6.The one change in circumstance is that investigation has been practically completed. It is also stated that though A4 is still absconding, the overt act as against this petitioner had been completely examined by the respondent. Taking that factor into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

7.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, Thiruchengodu, and on further conditions that: -



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

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

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To

- 1.The Judicial Magistrate, Thiruchengodu.
- 2.The Women Prison, Salem.
- 3.The Inspector of Police,
Thiruchengodu Town Police Station,
Thiruchengodu,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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