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CRL OP No. 11209 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11209 of 2025

Satheshkumar

S/o.Devaraj, No.3/2A, Kamaraj Nagar,
Vengalapuram, Thirupathur District.

Petitioner(s)

Vs

State represented by
The Inspector of Police,
Karuppur Police Station, Salem City.

Respondent(s)

Criminal Original Petition filed under Section 482 of the BNSS, 2023, to
enlarge the petitioner on bail in the event of his arrest in Crime No.155 of 2025
on the file of the respondent police pending investigation.

For Petitioner(s): Mr.R.Siranjeevi

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl.Side)



ORDER

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The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 88 and 319 of the Bharatiya Nyana Sanhita (BNS), 2023 and Section 5(2) of the Medical Termination of Pregnancy Act, 1971 and Section 15(3) of the Indian Medical Council Act, 1956, in connection with a case in Crime No.155 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was involved in the illegal determination of the sex of the foetus of the women with the help of a scanning machine and thus, the petitioner has committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false and the petitioner has been falsely implicated in the case; that A1 and A2 were arrested and released on bail; that in any case, the allegations are borne out by records and that the custodial interrogation of the petitioner is not required. Stating so, he sought anticipatory bail for the petitioner.



4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that there is one previous case pending against the petitioner; and objected to the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, which are borne out by records, and since the custodial interrogation of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Additional Mahila Court, Salem**, on condition that the petitioner shall 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 respondent police or the police officer who intends

to arrest or to the satisfaction of the learned Magistrate concerned, failing

which, the petition for anticipatory bail shall stand dismissed and on further

conditions that:

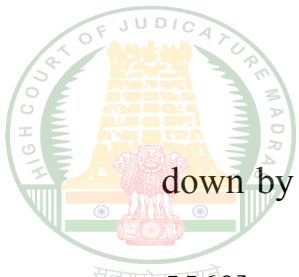
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 Supreme Court in *P.K.Shaji vs. State of Kerala* [(2005)AIR SCW 5560];

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[f] if the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S.

25-04-2025

nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Inspector of Police,
Karuppur Police Station, Salem City.

2.The Additional Mahila Judge,
Salem.



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SUNDER MOHAN J.

nsd

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