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CrI.O.P.No.16686 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.16686 of 2025

Maheshwari

... Petitioner/Accused

Vs.

State rep.by

The Inspector of Police

Vadalur Police Station

Cuddalore District.

(Crime No.49 of 2023).

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on Bail in
the event of her arrest in connection with Crime No.49 of 2023 on the file of
the respondent Police.



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For petitioner : M/s.S.Veera Santhi

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 363 of IPC and Section 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.49 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The contention of the petitioner is that the respondent police had sent notice to the petitioner. When the same was questioned as to on which provision the notice has been issued, the Police has been showing force and not replying properly. Hence, the petitioner apprehending arrest has filed the present petition.



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3. Mr.R.Vinothraja, the learned Government Advocate (Crl.Side)

appearing for the respondent police submitted that in this case, so far six persons have been arrested and they have been granted bail. The petitioner is not an accused as on date. He further submitted that a case has been registered against A1 to A6 under Section 363 of IPC and Section 81 of the Juvenile Justice (Care and Protection of Children) Act 2015. The petitioner and her husband adopted a child from the biological parents with the help of a middle men. Therefore, notice has been issued. He fairly submitted that the police has not issued notice under Section 35 BNS and in future, BNS notice shall be issued to the petitioner and thereafter, she will be called for enquiry and arrest of the petitioner may not be required.

4. In view of the same, the respondent police is directed to issue BNS notice and thereafter call the petitioner for enquiry, if required.



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5. With the above direction, this Criminal Original Petition is disposed of.

13.06.2025

dna

To:

1.The District Munsif-cum-Judicial Magistrate, Kurinjipadi
Cuddalore District.

2.The Inspector of Police
Vadalur Police Station
Cuddalore District.
(Crime No.49 of 2023).

3.The Public Prosecutor,
High Court Madras.



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M.NIRMAL KUMAR, J.

dna

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