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CRL OP No. 17888 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17888 of 2025

Chitra Devi

Petitioner(s)

Vs

The State Rep By, The Inspector Of
Police
Thalivasal Polie station, Salem. (Crime
No.206/2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to grant bail to the petitioner in the
event of his arrest in Crime No. 206 of 2025 on the file of the respondent Police
Station .

For Petitioner(s): M/s.Nadhiya

For Respondent(s): M/s. R. Vinoth Raja Ga (crl.
Side)



ORDER

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The petitioner, apprehends arrest for the alleged offences under Sections 318(2), 319(2) of BNS, 15(3) of IMC Act, and 23(1) of the PCPNDT Act, 1994 in Crime No.206 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 07.06.2025, at around 3.00 p.m., accused Nos.1 and 2 allegedly conducted a sex determination test on a pregnant woman at a clinic in Kallakuruchi District without proper medical qualification or legal compliance, thereby violating the PCPNDT Act. The complaint was filed by Dr.Jayalakshmi, Chief Medical Officer, Government Hospital, Attur, based on the inspection of the clinic and statement recorded, leading to the registration of the FIR.

3. The learned counsel for the petitioner is innocent; that She has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation, hence, he prayed for



grant of anticipatory bail.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case against the petitioner.

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

6. Considering the submissions made on either side; nature of allegation; the petitioner had no bad antecedents and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate Court II, Attur** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of three weeks and thereafter as and when required;

[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 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 269 of BNS.

27-06-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1.The State Rep By, The Inspector Of
Police
Thalivasal Polie station, Salem. (Crime
No.206/2025)

2.The Judicial Magistrate Court II,
Attur.

3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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