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CRL.OP No.. 26208 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL.OP.No. 26208 of 2025

G.Sukumar

..Petitioner/A2

Versus

The State,

Represented by
The Inspector of Police,
Kurisilapet Police Station
Tirupathur District.

Crime No. 116 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, praying to enlarge the petitioner on bail in the event of his arrest a case in Crime No.116 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.C.Mohanraj
For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 88, r/w Sections 66 of BNS and Section 5(2) of Medical Termination of Pregnancy Act, 1971 and Section 6(a), 6(b) r/w Section 23 of Pre-Conception and Pre-Natal



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Diagnostic Techniques, (Prevention of Sex Selection) Act, 1994 in Crime No. 116 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioner is that the petitioner ranked as A2 along with other accused conducted the “Prenatal Diagnostic Test” and found that the baby is a “female foetus” in the Womb and the same was aborted by the petitioner and others by giving some medicines, after collecting huge amount. Hence the respondent police registered a case against the petitioner and others.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner was arrested and released on bail in Crl.M.P.No. 2320 of 2025 dated 02.09.2025 in similar offences on the file of Judicial Magistrate No.II, Tirupathur. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that three previous cases are pending against the petitioner herein, the However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made by learned counsels on either side and the petitioner had already been arrested & granted bail in Crl.M.P.No. 2320 of 2025 dated 02.09.2025 on the file of Judicial Magistrate No.II, Tirupathur in similar case and he was not arrested in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Tirupattur District**, 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 learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the Trial Court at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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



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P.K.Shaji vs. State of Kerala [(2005)13 SCC 283];

e] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

23.09.2025

MSM

To
1.The Judicial Magistrate No.II, Tirupattur
District.

2.The Inspector of Police,
Kurisilapet Police Station
Tirupathur District.
Crime No. 116 of 2025.

3.The Public Prosecutor, High Court, Madras.



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K. RAJASEKAR, J.,

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