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Crl.O.P.No.26254 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26254 of 2025

Prabhakaran

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police
S.H.O., Virudhachalam Police Station
Cuddalore
(Crime No.541 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.541 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.S.P. Yuvaraj

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



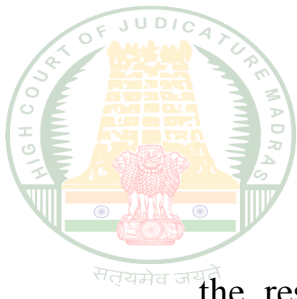
ORDER

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The petitioner, who was arrested and remanded to judicial custody on 07.09.2025, for the offence under Sections 123 of B.N.S, 2023 and Sections 18(c), 27(b)(ii) of Drugs and Cosmetics Act, 1940 and Section 5(2) of Medical Termination of Pregnancy Act, 1971 in Crime No.541 of 2025, registered on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner who is working as a teacher was in possession of tablets which was used to abort the foetus. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner's brother is working as a medical representative and the said tablets is not used for aborting the foetus and it will be consumed by the pregnant ladies only at the time of delivery. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted this petitioner and his brother were selling the tablets which is used to abort the foetus. He further submitted that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Judicial Magistrate No.1, Virudhachalam and on further conditions that:

[a] 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;



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

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

24.09.2025

smn

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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To

- 1.The Inspector of Police
S.H.O., Virudhachalam Police Station
Cuddalore
2. The Judicial Magistrate No.1, Virudhachalam
3. The Superintendent, Sub Jail, Virudhachalam
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

smn

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24.09.2025