



Crl.O.P.No.27299 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.10.2025**

CORAM

THE HON'BLE MR. JUSTICE **N.SENTHILKUMAR**

Crl.O.P.No.27299 of 2025

1. Elavarasi

2. Kavitha

... Petitioners / Accused-3 & 4

-VS-

State Rep. By
The Station House Officer,
Keezhkuppam Police Station,
Kallakurichi District.
(Crime No.181 of 2025)

... Respondent

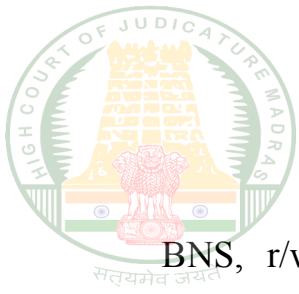
PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in Crime No.181 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.G.Saravanabhavan

For Respondent : Mr.V.J.Priyadarsana,
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.09.2025, for the alleged offence punishable under Sections 318(2), 49 of



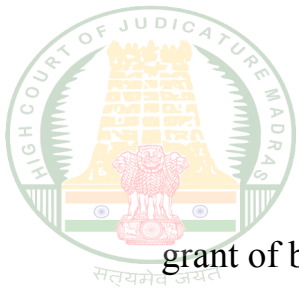
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BNS, r/w 23(1) of Pre-Conception and Pre-Natal Diagnostic Techniques, (Prevention of Sex Selection) Act r/w 34, 54 of National Medical Commission Act, in Crime No.181 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.09.2025 the petitioners and other accused were illegally determining the sex of fetus in the house of one Poova, Sempakurichi Village by receiving Rs.10,000/- to Rs.20,000/-. The petitioners are acting as mediators by bringing the pregnant women for testing. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they has been falsely implicated in this case. He would further submit that the petitioners were arrested and they are in judicial custody from 04.09.2025 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation is almost completed and two previous cases are pending against the petitioners. However, he opposed for



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grant of bail to the petitioners.

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5. Heard both sides and perused the materials available on record including the First Information Report.

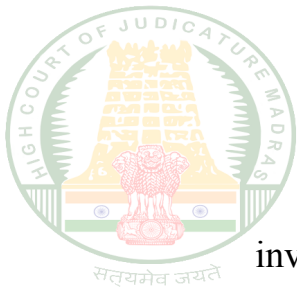
6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioners, and this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing 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 Judicial Magistrate-II, Kallakurichi*, and on further conditions that:-

[a] 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 petitioners shall report before the respondent police as and when requires for interrogation;

[c] the petitioners shall not abscond either during



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investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.

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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**



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certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

- 1.The learned Judicial Magistrate-II, Kallakurichi.
- 2.The Station House Officer,
Keezhkuppam Police Station,
Kallakurichi.
- 3.The Superintendent of Police,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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