



Crl.O.P.No.27610 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.27610 of 2025

Balamani

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Panamarathupatti Police Station,
Salem.
Crime No.80 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.80 of 2025 on the file of the respondent police.

For Petitioner : M/s.Nadhiya

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



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offence punishable under Section 363 of IPC and altered to Section 81 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.80 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant, an MBBS student, delivered a male child on 14.09.2023, which was taken from her by the 1st petitioner along with A2 and A3, and subsequently through A3, illegally transferred to one Vimalan and Shanmugapriya. She was later informed by the accused that the child had died, and they refused to show the child to her. Hence, the complaint.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that one of the co-accused has been arrested and released on bail and that the child has also been rescued. Hence, he prayed for the grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the child has not been rescued. During investigation it was revealed that, the child is with Vimalan and the investigation is not yet complete. The petitioner allegedly played an active role in handing over the child to Vimalan. Hence, he opposed the grant of anticipatory bail.

5. Considering the gravity of the offence, the specific overt act attributed to the petitioner in handing over the child to Vimalan, the fact that the child has not been rescued, and that the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

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K.RAJASEKAR, J.

cda

To

- 1.The Inspector of Police,
Panamarathupatti Police Station,
Salem.
- 2.The Public Prosecutor,
High Court of Madras.

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