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Crl.OP.No.27762 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.27762 of 2025

R.Haribabu

... Petitioner

Vs.

State rep. by

The Inspector of Police,

All Women Police Station,

Thiruthani, Thiruvallur District.

... Respondent

(Cr.No.157 of 2025)

(Respondent amended as per order dated 15.10.2025

in Crl.M.P.No19198/2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.157 of 2025 on the file of the respondent police, pending investigation.

For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.08.2025 for the alleged offence **under Section Girl Missing @ 87, 90, 91, 49 r/w 106(2) of BNS and Section 5(1), 5(j)(ii), 6(1) of POCSO ACT and**



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Section 11 of Child Marriage Act and 4(b), 3(2), 5(2), 5(3) MTP Act 1971
in **Crime No.157 of 2025** on the file of the respondent police, seeks bail.

2. The case of prosecution is that the victim girl who is aged about 17 years, one Sivinesh seduced her and was in relationship. As a result of their relationship, she became pregnant. To conceal the pregnancy, Sivinesh took her to a temple and married her on 06.08.2025. Subsequently, he sought assistance from the other accused to arrange an abortion. The petitioner (A2) helped Sivinesh to take the victim to A1, Violet Kani, who operated an unlicensed hospital in Andhra Pradesh without any recognized medical qualification. A1 performed the abortion, which led to severe complications for the victim. Following this, the victim approached the police and gave a statement. Upon receiving the information, authorities admitted her to the Government Hospital in Tiruttani, where she later died due to the complications arising from the illegal abortion performed by A1/Violet Kani. Hence case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is in custody from 29.08.2025 and he has been falsely implicated in this case. He



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further submitted that he has only given address of A1's hospital to Sivanesh for undergoing miscarriage of the victim girl and he has not participated any of the offence. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that they have arrested the persons who have conducted miscarriage of the victim girl and also the petitioner herein. On 28.08.2025, this petitioner was known to Sivinesh and his family members and he only assisted Sivinesh and admitted the victim girl to A1's hospital at Pothatturpet where A1 conducted miscarriage. He further submitted that investigation in this case is not completed and oppose to grant bail to the petitioner.

5. Considering the fact that the petitioner has played a major role in taking the victim girl, for the purpose of miscarriage knowing fully well that she is aged about 17 years and she require special medical care

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and subsequently he has not intimated to the family members of the victim



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regarding her health condition, this Court is of the view that granting bail at this stage will hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

15.10.2025
(2/2)

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To:

1.The Inspector of Police,
All Women Police Station,
Thiruthani, Thiruvallur District.

2.The Public Prosecutor,
High Court of Madras.

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