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CRL OP No. 27719 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 27719 of 2025

1. Dr.C.Kannan

S/o. Chellappan, and another

2. Jothi Divakaran

Wife of C.Kannan, Both are residing at
62B, K.Pudur, Therku Street, Edappadi,
Salem District.

Petitioner(s)

Vs

1. The State rep by, The Inspector of
Police,
Edappadi Police Station Salem District
(Crime No. 453 of 2025)

Respondent(s)

PRAYER

To grant Anticipatory Bail to the petitioners in the event of his arrest or on his appearance before any court in connection with the case in Crime No.453 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Balaji T
 B.Radhika



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R.Anisha Rani

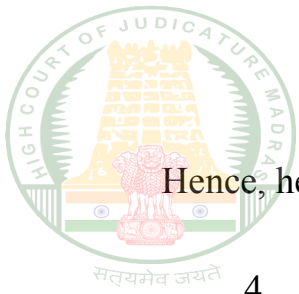
For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Section 23(1) Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 in Crime No.453 of 2025, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioner is that they joined hands with other accused, illegally conducted a pre-natal diagnostic test to predict the sex of the child in the womb. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are falsely implicated in this case and that the police do not have any power to register a case in this regard. Only the appropriate authority is authorized to file a complaint. However, the police have registered the case and have already they obtained an order in this regard in W.P.No.33552 of 2018 dated 27.07.2021.



Hence, he prayed to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reported that there are 3 accused in this case, and the petitioners are ranked as A1 and A2 and also the investigation in this case is pending. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegations and the fact that the petitioners are running a hospital, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Edappadi**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the



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concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioners shall report before the respondent police as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

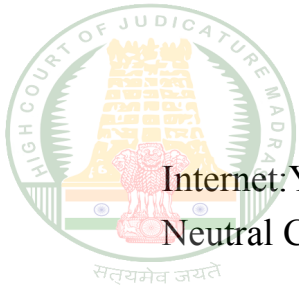
(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

10-10-2025

Mpa

Index:Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

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To

1. The Judicial Magistrate, Edappadi.

2. The State rep by, The Inspector of
Police,
Edappadi Police Station Salem District
(Crime No. 453 of 2025)

3. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
mpa

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