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Crl.O.P.No.2947



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29471 of 2025

1. Rameshbabu
2. Umamaheshwari

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
AWPS Raipet Police Station,
Ranipet District.
(Crime No.52 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.52 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Silambu Selvan

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



ORDER

The petitioners, who apprehends arrest for the alleged offence punishable under Section 5(l), 5(j)(ii), 6 of POCSO Act @ Section 5(l), 5(j)(ii), 6, 5(n), 21(1) of POCSO Act, r/w 88, 89, 318(2) of BNS and 34(2) of NMC Act 2019, r/w 5(2), 5(3) of MTOP Act, 1971 in Crime No.52 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegations against the petitioners is that these petitioners have assisted the victim girl, who aged about 15 years to undergo miscarriage. It is further stated that the relative of the victim girl has committed aggravated penetrative sexual assault, which resulted causing pregnancy to her, the family members joined together and taken her for the purpose of caring of the miscarriage to this petitioner. Thereafter, this incident was came to be known to the village nurse and she has lodged the complaint in this regard. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that the family members brought to the victim girl and by following the procedure only they had conducted miscarriage. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that investigation is pending and no previous case is pending against the petitioners. However, he vehemently opposed to grant anticipatory



bail to the petitioners.

5. Considering the fact that the petitioners have not having any previous cases, the allegation is that they miscarriage the child of the victim of sexual assault and with consent of the parents this process was gone, and this Court is 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 of receipt of a copy of this order before the *learned Principal Sessions Court, Ranipet*, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 daily at 10.30 a.m., for the period of two weeks and thereafter as and when requires for interrogation;



(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

30.10.2025

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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 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.

To

- 1.The Principal Sessions Court, Ranipet.
- 2.The Inspector of Police,
AWPS Raipet Police Station,
Ranipet District.
- 3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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