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CRL OP No. 30387 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30387 of 2025

Thennarasu

Petitioner(s)

Vs

The Inspector of Police,
Sirupakkam Police Station, Cuddalore
District. Crime No. 148/ 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in crime No. 148 of 2025 pending investigation on the file of the Respondent.

For Petitioner(s): Mr.Karuppaiya Mooppanar

For Respondent(s): Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 318(2), 318(4) of BNS Act and r/w Section 23(1), 3(3), 6(b), 6(c), of Pre-Natal Diagnostic Techniques (Regulation & Prevention of misuse) and Section 5(2) of Medical Termination of pregnancy



Act 1971, in Crime No.148 of 2025 seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner and other accused were conducting unauthorized sex determination tests by using a scanning machine at a house in Poyanpadi village, Cuddalore. Based on the complaint given by one Dr.T.Akilan Kannan, the respondent police registered a case against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is implicated as an accused only on the basis of confession given by arrested accused and the petitioner is not involved in diagnosing the sex of the foetus. He further submitted that there is no previous cases pending against the petitioner. Hence, the learned counsel prayed for the grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) reported that the investigation in this case is pending and the scanning machine is also recovered from the petitioner. He further submitted that the co-accused were arrested and also released on bail. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.I have also gone through the FIR and other connected records, which



reveals that the petitioner is also actively participated in determination of the sex of the foetus and other consequential act. However, in this case within short time the offence committed by them was revealed and the co-accused were arrested and subsequently enlarged on bail. Considering the fact that there is no previous cases pending against the petitioner, investigation in this case is pending and the scanning machine is also recovered, I am inclined to grant anticipatory bail to the petitioner subject to certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Virudhachalam, Cuddalore District***, on condition that the petitioner 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 petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of three weeks



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and thereafter as and when required for interrogation;

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

25-11-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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- 1.The Inspector of Police,
Sirupakkam Police Station, Cuddalore
District. Crime No. 148/ 2025.
- 2.The Judicial Magistrate,
Virudhachalam, Cuddalore District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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