



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32237 of 2025

R.Haribabu

Petitioner(s)

Vs

State Rep by, The Inspector of police,
All Women Police Station, Thiruthani,
Tiruvallur District. (Crime No.
157/2025)

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Cr.No.157 of 2025 on the file of the respondent police pending investigation.

For Petitioner(s): Mr.G.Mohana Krishnan

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



WEB COPY

CRL OP No. 32237 of 2025



(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 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. This is the third bail application. 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 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 concluded and the final report is also made ready. Hence, he opposed for grant of bail to the petitioner.

5.Considering the fact that the earlier bail applications filed by the petitioner was dismissed by this Court in Crl. OP Nos.27762 & 30112 of 2025 dated 15.10.2025 & 05.11.2025 respectively, the co-accused is also granted bail in Crl. OP No.24828 of 2025 and since the investigation is almost concluded and the final report is also made ready, this court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur** and on further conditions 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 appear before the respondent police daily at 10.30 a.m for a period of two weeks.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.



WEB COPY

gbi

CRL OP No. 32237 of 2025



24-11-2025



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.State Rep by, The Inspector of police,
All Women Police Station, Thiruthani,
Tiruvallur District. (Crime No.
157/2025)
- 2.The Sessions Judge, Special Court for
Exclusive Trial of Cases under POCSO
Act, Tiruvallur.
- 3.The Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 32237 of 2025



K.RAJASEKAR J.
gbi

**CRL OP No. 32237 of
2025**

24-11-2025