



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32206 of 2025

1. Senthilkumar
2. Rajeshwari

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
(Crime No.148 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail in Crime No.148 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.D.Balaji

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

**ORDER**

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The petitioners, who were arrested and remanded to judicial custody on 23.10.2025 for the offences punishable under Sections 318(2), 318(4) of BNS, r/w 23(1) Pre-natal Diagnostic (Techniques Regulation and Prevention of Misuse) Act 1994, 25 r/w 3(3) of PCPNDT Act, 1994, r/w 6(b) of PCPNDT Act, 1994, 25 r/w 6(c) of PCPNDT Act 1994 and 5(2) of MTP Act, in Crime No.148 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against these petitioners is that, they joined with other accused, running the network of determining the gender of the fetus / child in words and if the child is found to be a female they commit female infanticide. Hence the complaint was lodged and the petitioners have been arrested.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and the petitioners are in judicial custody since 23.10.2025; and that the petitioners ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioners.



4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that the first petitioner is ranked as A3, he was already detained under Act 14 of 1982 as “Goonda”, as far as the second petitioner is concerned she is ranked as A7 and she is the wife of first petitioner, she has also actively participated in the network and opposed for grant of bail to the petitioners.

5. Considering the facts and circumstances of the case, that the second petitioner is a lady and she is custody from 23.10.2025, she is not having any bad antecedents, this Court is inclined to grant bail to the second petitioner with certain conditions and the first petitioner is detained under Act 14 of 1982 as goonda, hence this petition is dismissed against the first petitioner.

6. Accordingly, the second petitioner is ordered to be released on bail on her 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 Judicial Magistrate Court, Vridhachalam, Cuddalore District*, and on further conditions that:-

[a] 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 the identity proofs to ensure their identity;

[b] the second petitioner shall report before the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation by the respondent police ;

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

[d] the petitioners 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 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];

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

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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 Judicial Magistrate Court, Vridhachalam, Cuddalore District.
- 2.The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
- 3.The Superintendent of Prison,
Special Prison for Woman, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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