



CRL OP(MD). No.14717 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.09.2025**

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 14717 of 2025

1.R.Babu

2.Umadevi

..Petitioner/

A1 and A2

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,

Tallakulam Police Station,

Tallakulam

Madurai City.

(Crime No.906 of 2025)

Respondent (s)

For Petitioner(s):

Mr.Niranjana S.Kumar

For Respondent(s):

Mr.A.S.Abul Kalam Azad

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :-

For Anticipatory Bail in Crime No.906 of 2025
on the file of the Respondent Police.

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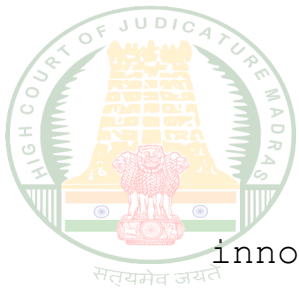
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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 466 and 468 of IPC, in Crime No.906 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 04.07.2017, the Doctor herein issued birth intimation report as if a girl baby was born to the petitioners in the BGM Hospital. Based on which, the birth was registered on 22.07.2017. However, on verification with the BGM Hospital, it was informed that no such birth was taken place in the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are



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innocent persons and they have not committed any offence as alleged by the prosecution. He, however, submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that the investigation has been almost completed and there are no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

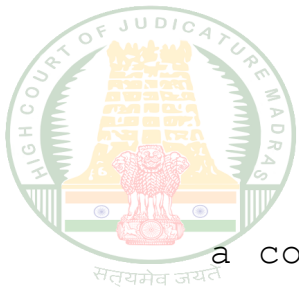
5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the investigation has been almost completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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WEB COPY 6. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with 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 Judicial Magistrate No.II, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain



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a copy of their Aadhar card or Bank pass Book to

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ensure their identity;

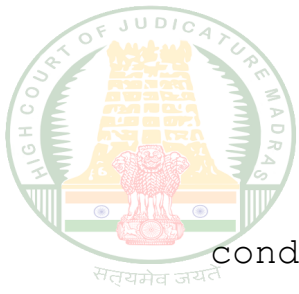
(b) the petitioners shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Madurai. In the event of any change in his residential address, the petitioners shall report the same to the learned Judicial Magistrate No.II, Madurai;

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

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

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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



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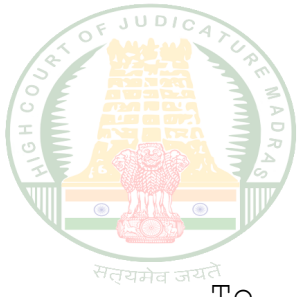
conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]* and;

(g) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

7.The custody of the child shall remain with the petitioners, who are adoptive parents and the same shall not be disturbed. The Child Welfare Officer shall periodically visit the child to ascertain the status of the child's being well.

08.09.2025

vsg



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To
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- 1.The learned Judicial Magistrate No.II,
Madurai.

- 2.The Inspector Of Police,
Tallakulam Police Station,
Tallakulam,
Madurai City.

- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY. J. ,

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