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CRL OP No. 1876 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1876 of 2026

Murugan

Petitioner(s)

Vs

State rep.by, Inspector of Police,
Sirupakkam Police Station, Cuddalore
District. Cr.No.148/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Cr.No.148 of 2025 on the file of the respondent police.

For Petitioner: Mr.N.U.Pressanna

For Respondent(s): Ms.J.R.Archana, GA (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 2023 and r/w Section 23(1), 3(3), 6(b), 6(c) and Section 5(2) of Medical Termination of pregnancy Act 1971, in Crime No.148 of 2025 seeks anticipatory bail.

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 an innocent person and he has been falsely implicated in this case. He further submitted that co-accused was granted anticipatory bail by this Court on 25.11.2025 and that no previous cases are 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) appearing for the respondent police reiterated the prosecution's case and on instructions, reported that the investigation in this case is pending and the scanning machine was also recovered from the petitioner. Hence, she opposed for the grant of anticipatory bail to the petitioner.

5. I have gone through the FIR and other connected records, which reveal that the petitioner actively participated in the determination of the sex of the foetus and other consequential acts. However, in this case, within a short span of time, the offence committed by them was revealed. Considering that there are no previous cases pending against the petitioner, the co-accused was granted anticipatory bail by this Court and the scanning machine was recovered,



I am inclined to grant anticipatory bail to the petitioner subject to certain conditions.

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6. 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 No.1,, Virudhachalam* 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 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



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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.

28-01-2026

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To

1.The Inspector of Police,
Sirupakkam Police Station, Cuddalore
District.

2. The Judicial Magistrate No.I,
Virudhachalam.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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