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CRL OP No. 4558 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4558 of 2026

Vijayabharathi
S/o.Kandasamy,
164/20 Bharathi Nagar,
Chinnatirupati, Salem 636008.

..Petitioner(s)

Vs

The State rep by
Inspector of police,
Uthukuli Police Station,
Tiruppur.
Crime No.649 of 2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.649/2025 on the file of the respondent police and pass such further or other orders as this Honble Court.

For Petitioner(s):

S Parthasarathy

For Respondent(s):

M/S.J.R.Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 80, 81, 87 of Juvenile Justice (Care and Protection of Children) Act, 2015 and 143(1)(f) of BNS in Crime No.649 of 2025, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner is ranked as A8 in this case and he joined with other accused involved in trafficking a child illegally by paying money to the extent of Rs.2.5 lakhs to A1 and A2, who are the biological parents. Hence, the case was registered and A1 to A7 were arrested.

3. The learned counsel for the petitioner submitted that some of the arrested accused were already released on bail. The child is also rescued and is now in the custody of the parents, and the petitioner is ready to cooperate with the investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that A1 to A7 were arrested. A3, A4, and A6 have already been granted bail, and this petitioner has not been arrested, and the investigation in this case is pending. Hence, opposed for grant of anticipatory bail to the petitioner.

5. Considering the nature of the allegations and other circumstances, and the fact that some of the arrested accused were also released on bail, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned District Munsif Cum Judicial Magistrate, Uthukulli**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of four week.**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala* [(2005) AIR SCW 5560];



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K.RAJASEKAR, J.

MPA

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

24-02-2026

MPA

To

1. The District Munsif Cum Judicial Magistrate, Uthukulli.
2. The State rep by
Inspector of police,
Uthukuli Police Station,
Tiruppur.
Crime No.649 of 2025

3.The Public Prosecutor,
High Court, Madras.

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