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CRL OP No. 7282 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7282 of 2026

Kavitha

..Petitioner(s)

Vs

State Rep. by The Inspector of Police
N2, Kasimedu Police station,
Chennai.
Crime No.30/2026.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in the above Cr.No. 30/2026 on the file of the respondent.

For Petitioner(s): M/S. V.Sathish Kumar

For Respondent(s): Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.01.2026 for the alleged offence under Sections 80, 81, 87 of Juvenile Justice (Care and Protection of Children Act, 2015 and Section 110 of BNS, 2023 in Crime No.30 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused, illegally adopted a child from a co-accused by paying a monetary



consideration. Hence, the complaint.

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3. The learned counsel for the petitioner submits that the petitioner is an innocent person and that he has been falsely implicated in this case. He further submits that the petitioner has been arrested and remanded to judicial custody since 21.01.2026 and that the co-accused have already been enlarged on bail. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that this is a case of child trafficking. He further submits that the petitioner has one previous case against her of similar nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Though the petitioner has one previous case against her, however, considering the fact that the co-accused have been granted bail and taking into consideration the fact that the petitioner has been under incarceration since 21.01.2026 and also considering the other factual position of the case, at this length of time, investigation might have been completed. Hence this Court is inclined to grant bail to the petitioner, subject to certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the **learned XVI Metropolitan Magistrate, George Town, Chennai**, and subject to the following conditions:

(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 identify proofs to ensure their identity;

(b) The petitioner shall report before the respondent Police, daily at 10.30 a.m. , for a period of four weeks and thereafter as and when required for interrogation;

(c) The petitioner shall not abscond either during investigation or trial;

(d) The petitioner shall not tamper 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 actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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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C.KUMARAPPAN, J.

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(f) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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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 XVI Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police
N2, Kasimedu Police station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent,
The Central Prison, Puzhal, Chennai.

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