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CRL OP No. 7166 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7166 of 2026

D.Satheesh Kumar
S/o. Devaraj,
Kamaraj Nagar,
Vengalapuram Village and Post,
Tirupattur Taluk and District.

..Petitioner(s)

Vs

The State of Tamil Nadu, Represented by The
Inspector of Police
Kandhili Police Station,
Tirupattur District.
(Cr.No. 211 of 2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to grant Anticipatory Bail to the Petitioner in the event of his arrest or surrender in connection with the case in Cr.No.211 of 2025, on the file of the Respondent Police and thus render justice.

For Petitioner(s):

S.V.Karthikeyan

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 6(a), 6(b) r/w. 23 of Pre-Conception and Pre-Natal Diagnostic Techniques (Prevention of Sex Selection) Act 1994 in Crime No.211 of 2025 on the file of



the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that on 11.08.2025, the defacto complaint lodged a complaint stating that, upon inspection, it came to light that the petitioner and other accused were conducting scans to determine the sex of the fetus, which is prohibited by law. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has earlier been granted anticipatory bail by this Court in Crl.O.P.No.24822 of 2025 dated 12.09.2025. However due to circumstances beyond his control, the petitioner was not in a position to comply with the conditions imposed therein. Consequently, the learned Magistrate cancelled the bail in Crl.M.P.No.4051 of 2025 dated 14.11.2025 and thereafter, a Non Bailable Warrant came to be issued against the petitioner. 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 the petitioner has two previous cases of a similar nature. Hence, he opposed to grant anticipatory bail to the petitioner.



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

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6. It is the submission of the petitioner that, this Court had earlier granted anticipatory bail to the petitioner in Crl.O.P.No.24822 of 2025 dated 12.09.2025, he could not comply with the conditions due to unavoidable circumstances.

7. This Court is of the view that the occurrence is of the year 2025 and at this length of time, custodial interrogation of the petitioner is not necessary. No doubt, the petitioner failed to comply with the earlier conditions and the bail was cancelled. However, considering the totality of the circumstances, the nature of the allegations, and the overt act attributed to the petitioner, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

8. 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 is made ready, before the **learned Judicial Magistrate-II, Tirupattur**, 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 learned Magistrate



concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned 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., and 05.30 p.m., until further orders.

(d) 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]***;

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

MPA

23-03-2026



To

1. The Judicial Magistrate-II, Tirupattur.

2. The Inspector of Police

Kandhili Police Station,

Tirupattur District.

(Cr.No. 211 of 2025)

3. The Public Prosecutor,

High Court, Madras.



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C.KUMARAPPAN, J.

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