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CRL OP No. 15273 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15273 of 2026

Prabhu @ Prabakaran

..Petitioner

Vs

State of Tamil Nadu rep.by
The Inspector of Police,
Thalaivasal Police Station,
Salem.
Cr.No.169/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of their arrest in Cr.No.169 of 2026 on the file of the respondent police.

For Petitioner:

Mr.Deepan Uday

For Respondent:

Ms.R.S.Indira,
Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 3(5), 91 of BNS, 2023 (34, 315 of IPC), alleged offence U/s. 15 of The Indian Medical Council Act, 1956 & alleged offence U/s. 23(1) of The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 in Crime No. 169 of 2026 on the file of the respondent police seeks anticipatory



bail.

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2. The case of the prosecution is that one Sobiga who wanted to know the gender of her unborn baby, approached a doctor named Bhuvaneswari, who allegedly informed her about the gender of the unborn baby and on her advice, she took some pills and met one Narayana for termination of the pregnancy. Hence, the case.

3. The learned counsel for the petitioner submitted that the Petitioner is the Manager of the hospital where the gender of the foetus was informed to Sobiga and also arranged for termination of the pregnancy. Though there is serious allegation, the learned counsel for the petitioner submitted that he is only the manager in the hospital. He further submitted that one Gowri has been already remanded and enlarged on bail by this Court in Crl.OP.No.14237 of 2026 on 05.06.2026. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the grant of anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions and



perused the materials available on record.

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6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, upon the fact that the Petitioner being Manager of the hospital, which factum is not seriously disputed by the learned Govt Advocate (Crl.Side) and upon the further fact that the co-Accused has already been released on bail, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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, Attur, Salem**, 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



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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 thirty days and thereafter, as and when required for interrogation;

(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.

17-06-2026

SHL

To:

1. The Judicial Magistrate-II,
Attur, Salem

2. The Inspector of Police,
Thalaivasal Police Station,
Salem.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

SHL

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