Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30737 of 2026

CNR: {HCMA012561132026}

Arputha
W/o Sathiyamoorthy,
No.5/1043, Pettarayan Vattam,
Pachoor, Natrampalli,
Tirupattur Taluk District.

..Petitioner(s)

Vs

The State rep. by, The Sub Inspector of Police
Vaniyambodi Town Police Station,
Tirupattur District.
Crime No.408 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the Petitioner on bail in the event of her arrest in Cr.No.408 of 2026 pending investigation on the file of the Responden and thus render justice.

For Petitioner(s): E Kannadasan

For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.408 of 2026, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner along with other accused, sold her illegitimate child for monetary gain. Consequently, the present case was registered against the petitioner and the other accused.

3. The learned counsel for the petitioner submitted that the petitioner is the mother of the child. It is submitted that having been deserted by her husband and suffering from extreme poverty, there was no one to take care of the child, owing to which she gave the child up for adoption. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and, on instructions, submitted that the investigation in this case is still pending, however, the child has been rescued. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel for the petitioner, and in view of the fact that the child has already been rescued and that the co-accused has already been granted bail by this Court vide order dated 23.10.2026 in Crl.O.P.No.30689 of 2026, this Court is inclined to grant anticipatory bail to the

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petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Vaniyambadi,** 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 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;

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N.RAMESH, J.

MPA

(c) The petitioner shall report before the respondent Police 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 is 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

23-10-2026

MPA
To
1. The Judicial Magistrate, Vaniyambadi.

2. The Sub Inspector of Police
Vaniyambodi Town Police Station,
Tirupattur District.
Crime No.408 of 2026.

3. The Public Prosecutor, High Court of Madras.

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