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CRL OP No. 27583 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-09-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 27583 of 2026

CNR: {HCMA012274522026}

Rajasekar
S/o.Dhanasekaran,
No.24/197, Susee Apartment,
1st Floor, North Usman Road,
Thiyagaraya Nagar,
Chennai-600017.



Case QR

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
V1, Villivakkam Police Station,
Chennai.
Crime No.382/2026.

..Respondent(s)

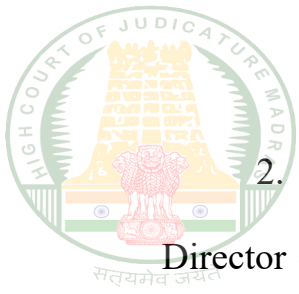
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.382 of 2026 on the file of respondent police

For Petitioner(s): Mr.R.C.Paul Kanagaraj

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.08.2026 for the alleged offence under Sections 80 and 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015 read with Sections 61 and 93 of BNS, 2023 in Crime No.382 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner is the Managing Director of WCF Hospital and that he permitted the illegal sale of the child of one Pavithra in his hospital. It is further alleged that he aided the commission of such offence by manipulating and tampering with the hospital records, wherein the name of the mother was mentioned as Selvarasi, who has purchased the child, instead of Pavithra, the biological mother. Therefore, the complaint was registered for the offences under Sections 80 and 81 of the J.J. Act. Hence, the case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been arrested and remanded to judicial custody since 27.08.2026. He further submitted that this is the second bail petition filed by the petitioner and that he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused was already released on bail by this Court in Crl.OP.No.27262 of 2026 dated 24.09.2026 and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner had conspired with the other accused and aided in the sale of the victim child. He further submitted that the sale of the child was



effected while the mother was in the hospital and that the transaction had taken place when the mother was in the hospital and not after her discharge. Hence, he strongly opposed to grant of bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the nature and gravity of the allegations, the role attributed to the petitioner and the submissions made by the learned Government Advocate (Crl.Side) and the fact that the co-accused has already been released on bail by this Court and also considering the period of incarceration already undergone by the petitioner, 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 his 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 XIII Metropolitan Magistrate, Egmore, Chennai**, and on further conditions that:

[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



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Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of seven days 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 with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

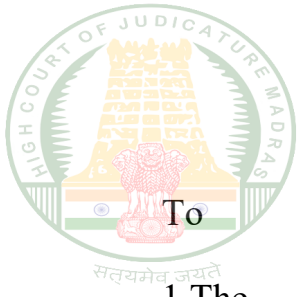
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28-09-2026

DRL

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 XIII Metropolitan Magistrate,
Egmore, Chennai.

2. The Inspector of Police
V1, Villivakkam Police Station,
Chennai.

3. The Superintendent,
Central Prison-II, Puzhal, Chennai.

4. The Public Prosecutor,
High Court, Madras.



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N.RAMESH, J.

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