



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 13/07/2020
PRESENT

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The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7248 of 2020

1. Kannan
2. Jeyapal

... Petitioners/Accused No.6&7

Vs

The State rep. by
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
Cr.No. 463 of 2020.

... Respondent/Complainant

For Petitioners : M/s. S.Sathya Chidambaram,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Cr.No. 463 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners herein were arrested on 24.06.2020 for the alleged offences under Sections 294(b), 506(ii), 317,363,372,373,109 of IPC and Section 81 of Juvenile Justice Act @ 294(b), 506(ii), 317,363,370(2), 370(4), 109 of IPC and Section 81 of Juvenile Justice Act.

2. The allegation against the petitioners are that A1 in this case who is the wife of the defacto complainant with the help of other accused has sold her female child to A8 for a sum of Rs.1,70,000/- and the petitioners herein are brokers in the above transactions and they have also received money.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the above case. He would also submit that A1,A9 and A10 were released on bail by the Sessions Court.



A1 in this case who is the wife of the defacto complainant with the help of other accused has sold her female child to A8 for a sum of Rs.1,70,000/- and the petitioners herein are only brokers. He would also submit that A1,A9 and A10 were released on bail by the Sessions Court

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5. Taking note of the above facts and circumstances of the case and also taking note of the fact that the petitioners are only brokers and also taking into consideration the fact that main accused in this case was released on bail by the Sessions Court, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioners shall report before the respondent police on every Monday at 10.30 a.m until further orders.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560].

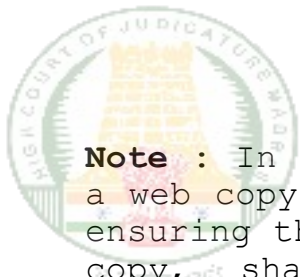
vi) If the petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/07/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI,
TIRUNELVELI DISTRICT.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7248 of 2020

Date :13/07/2020

AAV

SRS/ JC/ SAR-II/ 14.07.2020/ 3P/6C