



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

Date : 27/07/2020

PRESENT

WEB COPY

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7743 of 2020

Patchathu @ Kumar

... Petitioner/Accused No.5

Vs

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

... Respondent/Complainant

For Petitioner : M/s.R.Anand,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

PRAYER :-

For Bail in Crime No. 463 of 2020 on the file of the Respondent Police

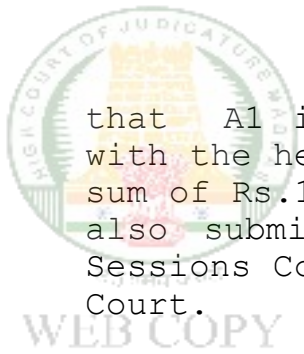
ORDER : The Court made the following order :-

The petitioner/A5 herein was arrested on 22.06.2020 for the alleged offences under Sections 294(b), 506(ii), 317, 363, 370(2), 370(4), 372, 373, 109 of IPC and Section 81 of Juvenile Justice (Care and Protection of Children)Act,2015.

2. The case of the prosecution is 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 petitioner herein is a broker in the above transactions and he has also received money.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He would also submit that A1,A9 and A10 were released on bail by the Sessions Court and some of the accused were released on bail by this Court.

<https://hcservices.courts.gov.in/hcservices/> 4. The learned Government Advocate(Criminal Side) would submit



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 petitioner herein is a broker. He would also submit that A1, A9 and A10 were released on bail by the Sessions Court and some of the accused were released on bail by this Court.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the fact that main accused in this case was released on bail by the Sessions Court and some of the accused were released on bail by this Court and that the investigation is almost completed, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his 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.

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

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

iv) the petitioner 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 petitioner in accordance with law as if the 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)AIR SCW 5560].

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

sd/-
27/07/2020

/ TRUE COPY /

/ /2020
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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI.
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.7743 of 2020
Date :27/07/2020

AAV
SRS/ VR/ SAR-II/ 27.07.2020/ 3P/6C