



CrI.O.P.No.28687 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.O.P.No.28687 of 2023

Logambal

... Petitioner/A1

Vs.

The State Rep. by
The Inspector of Police,
Thiruchengodu Town,
Namakkal District.
Crime No.311 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.311 of 2023 on the file
of the respondent.

For Petitioner : Mr.V. Balamurugan

For Respondent : Mr.R. Kishore Kumar,
Govt. Advocate (Criminal Side)



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Crl.O.P.No.28687 of 2023

ORDER

The petitioner / A1 who was arrested and remanded to judicial custody on 16.10.2023 for the offences punishable under Sections 81 and 87 of the Juvenile Justice (Care and Protection) Act, 2015 and Section 120B and 370(4) of IPC in Crime No.311 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that this petitioner / A1 attempted to procure a child from the defacto complainant in order to sell the child to the third party. It is stated that this Court had considered the petition seeking bail of the 2nd accused and had also granted bail on 20.12.2023 in Crl.O.P.No.28465 of 2023. The earlier petition seeking bail had come up for consideration on 08.11.2023 in Crl.O.P.No.25631 of 2023 and had been dismissed.

3.The one change in circumstance of the case is that, the grant of bail to the other accused. The investigation has also been practically completed.



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CrI.O.P.No.28687 of 2023

4.In view of that particular fact, this Court is inclined to grant bail to the petitioner.

5.Accordingly, the petitioner is ordered to be released on bail on executing bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruchengodu, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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



Crl.O.P.No.28687 of 2023

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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

22.12.2023

smv

To

1. The Judicial Magistrate, Thiruchengodu.
2. The Inspector of Police,
Thiruchengodu Town,
Namakkal District.
3. The Women Sub-Jail, Salem
4. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.28687 of 2023

C.V.KARTHIKEYAN, J.

smv

CrI.O.P.No.28687 of 2023

22.12.2023