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Crl.O.P.No.635 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

Crl.O.P.No.635 of 2024

Priya @ Priyanka D/o. Sathish

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
Pallapatty Police Station,
Salem District.

(Crime No.1283 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.1283 of 2023 on the file
of the respondent.

For Petitioner : Mr.C.Deepakkumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The petitioner/A1 in Crime No.1283 of 2023, registered by the respondent police for the offence under Sections 342, 392, 397 & 506(i) of IPC, seeks bail. The petitioner had been remanded to custody on 14.12.2023.

2.It is stated that the three accused had committed the offence and had snatched a sum of Rs.75,000/-. It had been stated that Rs.68,000/- had been recovered. The petitioner is a Transgender. But however, taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner with certain conditions:

4.Accordingly, the petitioner is ordered to be released on bail on condition to execute a 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 Judicial Magistrate Court No.II, Salem, 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 report before the respondent police everyday at 10.30 a.m., until further orders.

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



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[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 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.

12.01.2024

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C.V.KARTHIKEYAN, J.
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To

- 1.The Judicial Magistrate Court No.II, Salem.
- 2.The Inspector of Police,
Pallapatty Police Station,
Salem District.
- 3.Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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