



CrI.O.P.No.1131 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A2 & A3 who apprehend arrest at the hands of the respondent Police for the offences under Sections 342, 392, 397 & 506(i) of IPC in Crime No.1283 of 2023, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners along with A1 had solicited with the defacto complainant calling him for a physical relationship and when he refused, they had snatched a sum of Rs.75,000/- from him.

3.It is also stated by the learned counsel for the petitioners that the petitioners are transgenders. A1 has been taken into custody and later, enlarged on bail.

4.It is stated by the learned Government Advocate (crl.side) that out of Rs.75,000/-, Rs.68,000/- had been recovered from them.

5.Taking all the factors into consideration and particularly that the petitioners are transgender, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from



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the date on which the order copy made ready, before the Judicial Magistrate No.II, Salem on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 petitioners shall report before the respondent Police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 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].



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

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