



Crl.O.P.No.2539 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

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Puppy

...Petitioner/Accused-3

Vs.

State represented by
The Sub Inspector of Police,
Jolarpet Police Station,
Thirupathur District.

(Crime No.510 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.510 of
2023 on the file of the respondent on such terms and conditions.

For Petitioner : Mr.E.Kannadasan

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



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ORDER

The petitioner/A3 in Crime No.510 of 2023, registered by the respondent for the offences under Sections 294(b), 341, 372, 373, 506(ii) of IPC r/w Section 81 of Juvenile Justice Act, seeks bail. The petitioner had been remanded to judicial custody on 08.12.2023.

2.It is the case of the defacto complainant that the 1st accused had illicit relationship with the defacto complainant and a child was born.

3.It is stated that the accused persons through the help of this particular accused had sold the child for a sum of Rs.2,00,000/- to the accused 4 and 5.

4.The earlier application of A4 and A5 had come up for consideration and this Court had granted bail to them since they had expressed willingness to adopt the child through legal means.

5It is stated that the earlier application seeking bail by this petitioner had been dismissed on 08.01.2024 in Crl.O.P.No.257 of 2024.

6.Taking into consideration the change in circumstance of further progress in investigation and the fact that co-accused had been granted relief, I am inclined to grant bail to the petitioner subject to the following conditions:



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7. 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 No.I, Thirupathur, 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] Additionally, the petitioner shall deposit a sum of Rs.10,000/- to the credit of Crime No.510 of 2023 before the learned Judicial Magistrate No.I, Thirupathur and on such deposit, the learned Magistrate may hand over the said amount to the responsible person in the Government General Hospital at Thirupathur, for treatment of needy patients.

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

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

[f] 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



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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].

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

08.02.2024

ata

C.V.KARTHIKEYAN. J.

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To



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1. The Judicial Magistrate No.I, Thirupathur.

2. The Special Prison for Women, Vellore.

3. The Sub Inspector of Police,
Jolarpet Police Station,
Thirupathur District.

4. The Public Prosecutor,
High Court of Madras.

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