



CrI.O.P.No.29040 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.29040 of 2024

1. Revathy @ Ravathi

2. Vaitheeswari @ Vaithishwari

... Petitioners

Vs.

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

(Crime No.530 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioners on bail, in connection with the Crime No.530 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.J.Ranjithkumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 26.10.2024, seeking



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bail in Crime No.530 of 2024 registered for the offence under Section 318 (4) of BNS.

2. The case of the prosecution is that the accused, in the guise of seeing palmistry astrology, approached the de facto complainant and attempted to theft ½ sovereigns of gold ear ring, silver anklets and a cash of Rs.4000/- from her. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are suffering incarceration from 26.10.2024 and they are ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that the petitioners are having permanent residence and further, there is no one to take care of the second petitioner's nine months old child. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while objecting for grant of bail to the petitioners,



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submitted that the petitioners/accused had cheated the de facto complainant and attempted to theft jewels and cash from her. He further submitted that there is no previous against petitioners.

5. Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.2, Mettur**, and on further conditions that:

[a] the sureties shall affix their photographs and



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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, everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30a.m., until further orders;

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

[d] the petitioners shall not tamper with evidence or witness during 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]*;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

21.11.2024

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To

1. The Judicial Magistrate No.2,
Mettur.
2. The Inspector of Police,
Mecheri Police Station,
Salem District.
3. The Superintendent,
Special Prison for Women,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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