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Crl.O.P.No.29970 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

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

Crl.O.P.No.29970 of 2024

Monika @ Moni

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
(Crime No.762 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.762 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Udhayachandiran

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

ORDER

Petition seeking bail in respect of Crime No.762 of 2024 registered for the offences punishable under Sections 296(b), 308(4) and 351(3) of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 28.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, aged about 21 years, is in no way connected with the alleged offence and the present case has been foisted only for the statistical purpose. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the de facto complainant had refused to give mamool as demanded by the accused, the accused had abused the de facto complainant in filthy language and by intimidating him, extorted a sum of Rs.1,000/- from him and also threatened him with dire consequences. He further submits that three previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration



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undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (out of which, one of the sureties should be either the father or mother of the petitioner)**, each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore**, 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 on everyday at 06.30 p.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 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***



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[(2005)AIR SCW 5560];

A.D.JAGADISH CHANDIRA.,J.

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

09.12.2024

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To

1. The X Metropolitan Magistrate,
Egmore.
2. The Sub-Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
3. The Superintendent,
Central Prison for Women, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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