



CRL OP(MD). No.8613 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8613 of 2024

1. Atchaya,

2. Rithika,

3. Cabriella,

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
Cr.No.257 of 2024.

... Respondent/ Complainant

For Petitioners : M/s.Dhilipanpandian.R.L.,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C

PRAYER :- For Bail in Crime No.257 of 2024 on the file of the respondent police
ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested on 21.05.2024 for the offence punishable under Sections 341, 294(b), 323, 386 and 506(ii) IPC, in Crime No.257 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.05.2024, when the defacto

<https://www.mhc.trngov.in/judis>



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complainant and his friend were returning home, the petitioners snatched away a sum of Rs.4,000/- and also assaulted the defacto complainant with a wooden log. Hence, the case has been registered.

3. The learned counsel for the petitioner submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution, however, they were arrested by the respondent Police on 21.05.2024 and he is languishing in Jail for the past 24 days. He further submits that there is no specific overt act attributed against the petitioners. Therefore, the petitioners pray for grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed for grant of bail on the ground that the injured is still in hospital. He further submits that the petitioners are trans-gender and they are arrayed as A1 to 3 and they are not having any previous case.

5. Considering the facts and circumstances for the case, the nature of allegation and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail with certain conditions:

i) on the petitioners executing a bond for a sum of Rs.25,000/-



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(Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District.

ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The petitioners shall appear before the respondent police once in a week ie. On every Monday at 10.30 a.m. until further orders. They have to co-operate for the investigation.

iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the bail.

sd/-
13/06/2024

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13/06/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.8613 of 2024

Date :13/06/2024

SA/SAR. /13.06.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.