



CRL OP(MD). No.17640 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17640 of 2024

Mareeswaran

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
K.K.Nagar Police Station,
Trichy City.
(Crime No. 283/2024.)

... Respondent/Complainant

For Petitioner : M/s.K.Suyambulingabharathi, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 283 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody
on 01.09.2024 for the offences punishable under Sections 342, 377, 506(i) of IPC r/w



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Section 54 of Prisons Act r/w Section 18(b) of Trans-gender Prison Protection of Right Act,, in Crime No.283 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is working as a Head Ward in Central Prison, Trichirappalli. He had committed sexual assault on the victim, namely, Sarankan, who is a transgender in prison as accused. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner is said to have sexually abused the victim, who is a transgender person and considering the fact that the petitioner is in prison from 01.09.2024, this Court is inclined to grant bail to the petitioner on certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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.II, Trichirappalli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;



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(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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 [(2005)AIR SCW 5560].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/10/2024

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17/10/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.II,
Trichirappalli.

2.Do through the Chief Judicial Magistrate,
Trichirappalli District.



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3.The Inspector of Police,
K.K.Nagar Police Station,
Trichy City.

4.The Superintendent,
Central Prison,
Salem, Salem District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-12616[I] dated
17/10/2024)

ORDER
IN
CRL OP(MD) No.17640 of 2024
Date :17/10/2024

ED/ /SAR- (17/10/2024) 4P / 7C

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