



CRL OP(MD). No.18156 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18156 of 2024

Abinaya,

... Petitioner/ Accused No.3

Vs

**The State of Tamilnadu,
Rep. by the Inspector of Police,
AWPS Thirumangalam Police Station,
Madurai District.
Crime No.22/2024.**

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.22 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3, who was arrested and remanded to (*) judicial custody on 28.09.2024 for the offences under Sections 369 and 34 of IPC and Section 81 of Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.22 of 2024, on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the prosecution is that the petitioner had illegally adopted the infant child from A1 and A2 for a sum of Rs.10,000/-.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of allegations in this case that with reference to the tender child of the first accused-Jothi, without following the proper procedure of giving on adoption and taking on adoption as if the child has been sold and purchased for a sum of Rs.10,000/-, the accused is said to have purchased the child, however, only considering the fact that the intention of the accused was to bring up the child and considering the fact that she has been remanded to judicial custody from 25.07.2024, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

[a] 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 learned Judicial Magistrate Court, Thirumangalam, Madurai District, and on further conditions that:

[b] 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.

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[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period three weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-
22/10/2024

(*)For Corrected as per Order of this
Hon'ble Court dt.23/10/2024 in Crl.OP
(MD).18156/2024.

/ TRUE COPY /

23/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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SJI
TO

TO BE SUBSTITUTED WITH THE ORDER DT.22/10/2024 IS ALREADY
DESPATCHED

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM, MADURAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE OFFICER INCHARGE
WOMEN PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
AWPS THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to Mr.K.DINESH, Advocate SR.No.12938 (I) DT.23/10/2024



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ORDER IN
CRL OP(MD) No.18156 of 2024
Date :22/10/2024

PSP/ /SAR /22.10.2024/ 5P/ 6C
JBR

SA/SAR. /23.10.2024/4P/7C

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