



CRL OP(MD). No.20612 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20612 of 2024

1. Subasri Alias Subha Sri

2. Mayuri

3. Devayani

4. Rafya Alias Rafiya

... Petitioners/ Accused 1 to 4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
(In Crime No. 427/2024).

... Respondent/Complainant

For Petitioners : Mr. K.Navaneetharaja, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No. 427 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 16.10.2024 for the offences under Section 309(6) of BNS Act in Crime No.427 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 16.10.2024, the defacto complainant for attending nature call stopped his Car in the place of occurrence. The petitioners, who are said to be transgenders are said to have demanded some money and they found that the defacto complainant is having sufficient money and therefore, they robbed Rs.50,000/- cash and 5 sovereigns of gold chain from the defacto complainant. Later, they were chased and all of them were apprehended and the entire amount and gold chain were recovered.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

4.Taking into consideration the facts and circumstances of the case and considering the fact that the money as well as gold jewels have been recovered and there are no previous cases against the petitioners and the petitioners have suffered incarceration from 16.10.2024, this Court is inclined to grant bail to the petitioners subject to the following conditions.



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5. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thanjavur, 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 petitioners shall report before the respondent Police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond 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



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of Kerala [(2005)AIR SCW 5560];
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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
27/11/2024

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27/11/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON (WOMEN), TRICHY.

4 THE INSPECTOR OF POLICE,
SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.

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

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



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ORDER
IN
CRL OP(MD) No.20612 of 2024
Date :27/11/2024

SA/SAR. /27.11.2024/5P/6C

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