



Crl.O.P.No.4910 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4910 of 2025

1. Sudha
2. Ayyappan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Jayankondam,
Ariyalur District.
(Crime No.13 of 2010).

... Respondent

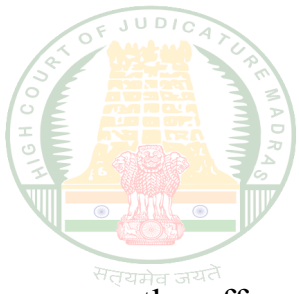
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.13 of 2010 pending investigation on the file of the respondent Police.

For Petitioners : Mr.W.Camyles Gandhi

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

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 28.01.2025, seeking bail in S.C.No.64 of 2018 pending on the file of the learned Sessions Judge (Fast Track Mahila Court, Ariyalur), in connection with Crime No.13 of 2010 registered for



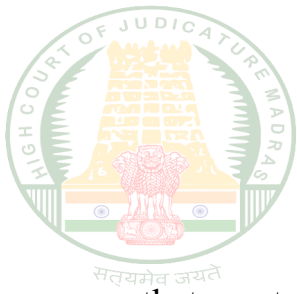
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the offences under Sections 498(A), 494 read with Section 109, 506(i) of IPC and Section 4 of D.P Act and Section 9 of Child Marriage Act, 2006.

2. The petitioners are facing prosecution for the offence under Sections 498(A), 494 read with Section 109, 506(i) of IPC and Section 4 of D.P Act and Section 9 of Child Marriage Act, 2006. The petitioners were initially granted bail during the investigation and that during the trial, for their non-appearance, non-bailable warrant was issued on 25.10.2024 and on 28.01.2025 the petitioners were arrested.

3. Learned counsel appearing for the petitioners submitted that, since the petitioners were taken into custody in another case, they could not appear before the trial Court and that the petitioners' non appearance is neither wilful nor wanton. He further submitted that, in any case, petitioners are in custody from 28.01.2025 and they are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, submitted



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that apart from this case, there are no previous cases against the petitioners.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering, the fact that the petitioners are related to main accused, the period of incarceration and since further custody is not required, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Sessions Judge (Fast Track Mahila Court) at Ariyalur** 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 trial Court on all hearing date at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during



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investigation or trial;

[d] the petitioners 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 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 of Kerala [(2005)AIR SCW 5560]***;

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

24.02.2025

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To

1. Sessions Judge (Fast Track Mahila Court)
Ariyalur.
- 2.The Inspector of Police,
All Women Police Station,
Jayankondam,
Ariyalur District.
3. The Superintendent,
Central Prison, Trichy
4. The Public Prosecutor,



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High Court of Madras.

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SUNDER MOHAN., J.

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