

Crl.O.P.No.10259 of 2016**P.KALAIYARASAN, J.**

The petitioner, who is arrayed as the accused, was arrested on 11.4.2016 in Mumbai and remanded to judicial custody on 14.4.2016 for the alleged offence punishable under Section 420 of IPC, in Crime No.89 of 2016 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the accused is a diamond dealer by profession and the defacto complainant used to give diamonds for quality check and has given diamonds to the worth of Rs.13 Lakhs for assessment on 23.12.2014 through Nareshkumar and Pradeepkumar and the accused absconded with the diamond.

3.Heard both sides.

4.The learned counsel for the petitioner submits that the petitioner has been in custody from 11.4.2016 and would further submit that the petitioner is an innocent person and he is having permanent residence and therefore, prays that the petitioner may be enlarged on bail.

P.KALAIYARASAN, J.

ajr

5.The learned Additional Public Prosecutor opposed the petition by contending that the petitioner cheated the defacto complainant to the tune of Rs.13 Lakhs and only the diamonds to the worth of Rs.3 Lakhs has been recovered and he would further submit that the investigation is not yet over.

6.Considering the duration of the custody, the fact that there is no question of tampering the evidence, the fact that the petitioner is having permanent residence and also considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on his 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 learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of one month.

04.05.2016

ajr

Crl.O.P.No.10259 of 2016