



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12728 of 2016

C.RAVISHANKAR

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY

THE INSPECTOR OF POLICE,

DISTRICT CRIME BRANCH, TIRUCHIRAPPALLI DISTRICT.

(IN CRIME NO.26 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S T.RAMASAMY Advocate

For Respondent : M/S.P.KANNITHEVAN,

Government Advocate (Crl. Side)

For Intervenor : M/S.T.SENTHIL KUMAR, Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

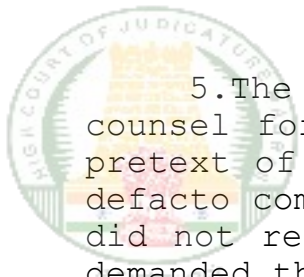
ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.2, who was arrested and remanded to judicial custody on 28.06.2016 for the alleged offences punishable under Sections 406, 420, 294(b), 506(ii) of IPC, in Crime No.26 of 2015, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner and A1 promised the defacto complainant and others to get job in Education Department. The defacto complainant paid a sum of Rs.5,00,000/- for job as Teacher for his daughter. Likewise others also paid. Totally a sum of Rs.19,20,000/- was paid. The petitioner and A1 did not get job as promised and when the defacto complainant demanded for refund of money, they abused in filthy language and threatened him to murder them. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The defacto complainant and others gave money only to A1 in the Hotel. The petitioner is in judicial custody from 28.06.2016.

4.The learned counsel for the petitioner submitted that today <https://hcservices.pcautiservices.com> settled a sum of Rs.10,00,000/- and balance amount will be settled within three weeks. To that effect, memo has been filed before this court.



5.The learned Government Advocate (Crl.side) and the learned counsel for the intervenor submitted that the petitioner and A1 on pretext of getting job, received amounts from various persons, like defacto complainant and others and they did not get any job and they did not return the amount. When the defacto complainant and others demanded the money, they threatened with dire consequences.

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6.The learned counsel for the intervenor further submitted that Today, all the 7 persons received a sum of Rs.10,00,000/- as a part of the amount and the petitioner is promised to settle the balance amount within three weeks. To that effect Memo has been filed before this Court.

7.Considering the facts and circumstances of the case and also considering the fact that the petitioner has settled the part of the amount received from the defacto complainant and others and he is in judicial custody from 28.06.2016,, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Lalgudi.
- (ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

27/07/2016

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
LALGUDI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT

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

4. THE OFFICER-IN-CHARGE
SUB-JAIL, LALGUDI

5. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, TIRUCHIRAPPALLI DISTRICT.

+1. CC to M/S.T.SENTHIL KUMAR, Advocate, SR.No.39813

+One cc to Mr.T.Ramasamy, Advocate, SR.No.39828

RL/8C/3P/NGM/MP/SARI/27/7/2016

ORDER

IN

CRL OP (MD) No.12728 of 2016

Date : 27/07/2016