



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

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.12329 of 2018

1 SEENIVASAN
2 GANESAN
3 SENTHIL KUMAR
4 SURESH KUMAR

... PETITIONERS/ ACCUSED NOS.1 TO 4
Vs

STATE REP.BY
THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.354 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.M.A.JINNAH, Advocate
For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

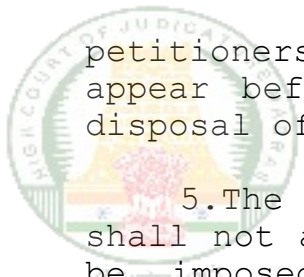
ORDER : The Court Made the following order :-

The petitioners are in judicial custody since 04.07.2018 for the offences punishable under Sections 406 and 420 I.P.C. in Crime No.354 of 2018 on the file of the respondent police. They seek bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl.Side) for the respondent

3.It is seen that the petitioners are not having any previous case. This is the only reason why this Court is inclined to grant bail to the petitioners. The petitioners did not hail from Kuttralam. They are in other parts of the State. It is a case of cheating. The allegation is that the petitioners have tried to pass on covering jewels as genuine gold jewels. All the accused have been arrested and relevant incriminating materials have also been collected, they could not be any difficult in filing the final report early.

4.The learned Government Advocate (Crl.Side) stated that the final report will be filed within 10 days. The Jurisdictional Magistrate is directed to take the final report on file forthwith, without any delay and assign the case number also. The entire trial shall be concluded within a period of one month thereafter. Since the direction for speedy conclusion of the case has been given, the



petitioners can be granted bail. However, they are directed to appear before the respondent police daily at 10.30 a.m till the disposal of the trial.

5.The learned counsel for the petitioners undertook that the he shall not apply for any relaxation or modification the condition to be imposed by this Court. This Court only because such an undertaking given by the learned counsel for the petitioners, granted the bail, otherwise there is no hesitation to dismiss this Criminal Original Petition.

6. Accordingly, the Petitioners are ordered to be released on bail, subject to the following conditions;

(i) the Petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Shenkottah.

(ii)the Petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii)the Petitioners shall not abscond.

(iv)on breach of any of the aforesaid conditions, the 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 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].

sd/-
19/07/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SHENKOTTAH.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL, TENKASI,
TIRUNELVELI DISTRICT.
4. THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION, TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.M.A.JINNAH Advocate SR.No.13473

ORDER IN
CRL OP(MD) No.12329 of 2018
Date :19/07/2018