



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

Friday, the Twenty Eighth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.9155 of 2019

M.SENTHIL KUMAR

... PETITIONER / ACCUSED NO.2

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH POLICE STATION,  
TRICHY DISTRICT.  
(CRIME NO.30/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.C.K.M.APPAJI Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,  
Government Advocate (Crl.Side)

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

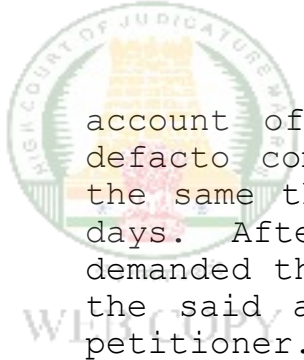
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused no.2 seeking bail for the alleged offence under Sections 406 and 420 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit due to previous enmity the defacto complainant has lodged a false complaint against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 08.06.2019 and he is in custody for the past 20 days. He further submitted that even as per the First Information report the petitioner never received any amount from the defacto complainant's father. Therefore he prayed to grant bail to the petitioner.

4. The learned Government Advocate(Crl.Side) submitted that the defacto complainant's father is running a shofa repair shop. At that time A1 went to the shop and offered a job to the defacto complainant at Singapore and for the same A1 demanded RS.3,50,000/- from the defacto complainant's father . Thereafter, the defacto complainant's father paid the said amount to the



account of A1 and A2. Subsequently A1 arranged some job to the defacto complainant at Armenia instead of Singapore. By accepting the same the defacto complainant went to Armenia and worked for 20 days. After his return from Armenia, the defacto complainant demanded the entire amount from A1, for which A1 refused to pay back the said amount. Hence he strongly opposed to grant bail to the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also the fact that as per the First Information Report only Rs.10,000/- was transferred to the bank account of the petitioner herein and also the fact the petitioner is in custody for the past 20 days and by this time major part of the investigation might have been completed this Court is inclined to grant bail to the petitioner by imposing conditions:

[a] 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 Judicial Magistrate No.II, Trichy.

[b] the petitioner shall report before the Respondent Police, daily at 10.30A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.30 of 2019 before the learned Judicial Magistrate No.II, Trichy, without prejudice his defence before the trial Court

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
28/06/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.II,  
TRICHY

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH POLICE STATION,  
TRICHY DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

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

+1. CC to M/S.C.K.M.APPAJI Advocate SR.No. 10663

ORDER

IN

CRL OP(MD) No.9155 of 2019

Date :28/06/2019

JM/VR/SAR 2/28.06.2019/3P/7C