



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

Date : 13/09/2019

PRESENT

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

CRL OP (MD) . No.12740 of 2019

Nagendran,

... Petitioner/Accused No.1

Vs

State Rep by
The Sub Inspector of Police,
Virudhunagar Bazar Police Station,
Virudhunagar (Crime No.76/2019).

... Respondent/Complainant

For Petitioner : M/s.D.Farjana Ghoushia,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.76 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner is arrayed as accused No.1. He was arrested and remanded to Judicial Custody on 13.08.2019, for the offences punishable under Sections 294(b), 406, 420 and 506(i) of I.P.C., in Crime No.76 of 2019, on the file of the respondent police. He seeks bail.

3.It is seen that the First Information Report came to be registered following the non-liquidation of his business liability to the defacto complainant. The amount in question is around Rs.2,82,232/-. The transaction appears to be civil in nature. The petitioner has also filed an insolvency petition.

4.Taking note of this aspect, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the

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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, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Virudhunagar.

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

(iii) 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].

sd/-
13/09/2019

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

TO

1. Judicial Magistrate No.I, Virudhunagar.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Officer incharge, District Jail, Virudhunagar.
4. The Sub Inspector of Police,
Virudhunagar Bazar Police Station,
Virudhunagar.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.G.MARIAPPAN, Advocate Sr. No. 15364

ORDER
IN

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