



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

Date : 16/03/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.4638 of 2020

S.NAGARAJAN

... PETITIONER/ACCUSED NO.I

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
VILAKKUTHOON POLICE STATION,
MADURAI CITY
CRIME NO.525/2019.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.R.Anand,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

for bail in Crime No. 525 of 2019 on the file of the respondent police

ORDER : The Court made the following order :-

This petition has been filed by the petitioner/ accused seeking bail for the alleged offence punishable under Sections 406 and 420 of IPC.

2. The petitioner and the defacto complainant are traders in gold jewels. Based on the petition given to the Magistrate under Section 156(iii) Cr.P.C the respondent police has registered the complaint against the petitioner herein for offences under Sections 406 and 420 of IPC alleging that the petitioner herein used to buy ornaments from the defacto complainant since 2018. On reconciliation of the account find that he has to pay money for 294 grams of gold jewels, for which the accused has given a cheque for Rs. 29.40 lakhs (Twenty nine lakhs Rupees) but bounced and as a sequence this



complaint has been given to the Judicial Magistrate No.I, Madurai which has been forwarded to the respondent police to register and investigate the case.

3. On reading the complaint, this Court finds that in the said trade transactions, there is some payment due to the defacto complainant for which cheque was also issued and bounced.

4. Considering the nature of complaint, this Court is inclined to grant bail to the petitioner by imposing conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.1,00,000/- (Rupees One lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Madurai;

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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

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

[e] 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].

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

sd/-
16/03/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I,

<https://hcservices.mca.gov.in/hcservices/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
VILAKKUTHOON POLICE STATION,
MADURAI CITY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.R.ANAND, Advocate (SR-5316[I] dated 16/03/2020)

ORDER
IN
CRL OP(MD) No.4638 of 2020
Date :16/03/2020

AAV
JM/VR/SAR 1/16.03.2020/3P/7C