



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

Date : 12/06/2020

PRESENT

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

CRL OP(MD) . No.6034 of 2020

Karthick

... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Allinagaram Police Station, Theni District,
(Crime No.207 of 2019).

... Respondent/Complainant

For Petitioner : M/s. S.Sundarapandian,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime no.207 of 2019 on the file of the respondent police.

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.

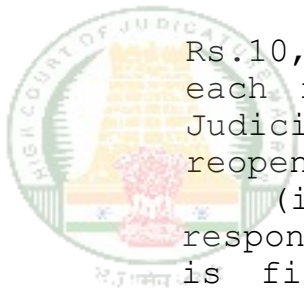
2. The petitioner is arrayed as A1. He was arrested and remanded to Judicial Custody on 20.02.2020 for the offences punishable under sections 406 and 420 of I.P.C in Crime No.207 of 2019 on the file of the respondent police. He Seeks bail.

3. The learned counsel for the petitioner states that even though the statutory period is over, final report is yet to be filed. Hence, the petitioner is entitled to default bail.

4. The learned Government Advocate(Crl. Side) on instructions submitted that the petitioner has cheated the victim to the tune of Rs.17,00,000/-.

5. Taking note of the over all facts and circumstances, I am inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioner is directed to 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 learned Judicial Magistrate, Theni, after the concerned Court is reopened on regular basis.

(ii) the petitioner is directed to appear before the respondent police daily at 7.00 p.m, till the final report is filed and the petitioner shall not apply for any modification or relaxation of this condition till the final report is filed.

(iii) on breach of any of the aforesaid conditions, the 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 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/-

12/06/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE, THENI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI.
- 4 THE INSPECTOR OF POLICE, ALLINAGARAM POLICE STATION, THENI DISTRICT.
- 5 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6034 of 2020

Date :12/06/2020

SDS / SKN / SAR-2 (15.06.2020) 2P-6C

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