



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.6639 of 2020

N.V.Narayanan

... Petitioner/1st Accused

Vs

The State rep. by
The Sub Inspector of Police,
District Crime Branch, (Dcb), Tvs Tollgate,
Trichy-20, Trichy District.
Cr.No. 23 of 2019..

... Respondent/Complainant

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

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

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

PRAYER :-

To grant bail to the petitioner in Cr.No.23 of 2019 on the file of respondent police and pass any other appropriate orders.

ORDER : The Court made the following order :-

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

2.This petition has been filed by the petitioner/ accused seeking bail for the alleged offence punishable under Sections 417,420 and 506(i) of IPC.

3. Alleging money transactions since 2012 and default in payment complaint has been given on 19.12.2019 alleging cheating.

4. The learned counsel for the petitioner would submit that 138 NI Act has been initiated against the defacto complainant by one of the co-accused. Aggrieved over that this complaint has been given. Further more the petitioner was arrested on 27.02.2020, but

<https://hcservices.ebar.in/hcservices/>

report not been filed by the respondent police.



5. Taking note of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi.

i) 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

ii) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

30/06/2020

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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,
LALGUDI,
TIURCHIRAPPALLI DISTRICT.

2 -DO- THRO
THE CHEIF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.



3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, (DCB), TVS TOLLGATE,
TRICHY-20, TRICHY DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.

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

ORDER
IN
CRL OP(MD) No.6639 of 2020
Date :30/06/2020

PD/VR/SAR 2/30.06.2020/3P/6C