



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

Date : 10/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.14490 of 2020

S.Saravana

... Petitioner/2nd Accused

Vs

State Rep.by
The Inspector of Police,
Palakkarai Police Station,
Trichy City.
Crime No.884/2020.

... Respondent/Complainant

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

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For a Bail in Crime No.884 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 17.11.2020 for the offences punishable under Sections 417, 420, 482, 483, 486, 487, 488 of IPC and Section 63(a) of Copy Right Act, 1957 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner alleged to have cheated the public at large by selling the TV by making misrepresentation as though it belonged to the Original Sony brand. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner is only working under A1 and he is no way connected with the said crime.

4. The learned Government Advocate(Crl.Side) would submit that there are totally three accused in this case and the petitioner is not connected as A2. He further submitted that the petitioner



along with other accused alleged to have cheated the public at large by selling the TV by making mis representation as though it belonged to the Original Sony brand.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Thiruchirapalli

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 for a period of three weeks and thereafter as and when required for interrogation.

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/-
10/12/2020

/ TRUE COPY /

/ /2020
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, remains the responsibility of the advocate/litigant concerned.

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



TO

1. THE JUDICIAL MAGISTRATE NO.V, THIRUCHIRAPALLI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
THIRUCHIRAPALLI.
4. THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION, TRICHY CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.14490 of 2020

Date :10/12/2020

MS/AKM/SAR-3/10.12.2020/3P.6C