



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

Date : 23/12/2020

PRESENT

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

CRL OP(MD). No.15678 of 2020

Raja @ Padmanapan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
C.C.B. Trichy City,
Trichy District.
Crime No.14 of 2020

... Respondent/Complainant

For Petitioner : Mr.C.Suresh Kannan,
Advocate.

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

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

PRAYER :-

For Bail in Crime No. 14 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 04.12.2020 for the offences punishable under Sections 406, 420, 467, 294(b), 506(i) IPC in crime No.14 of 2020 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner and other accused, in the name of real estate business, cheated the defacto complainant and others to the tune of Rs.3 Crores. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prayed for granting of bail to the petitioner.



4.The learned Government Advocate(Crl.Side) would submit that the investigation is still pending and the petitioner and other accused, in the name of real estate business, cheated the defacto complainant and others to the tune of Rs.3 Crores and hence, he vehemently opposed to grant bail.

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 on condition that the petitioner shall deposit a sum of Rs.50,00,000/- to the credit of crime No.14 of 2020 before the learned Judicial Magistrate No.V, Tiruchirappalli.

6.On such deposit, 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 blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Tiruchirappalli.

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 four weeks and thereafter, as and when required.

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/-
23/12/2020

/ 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, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE NO V,
TIRUCHIRAPALLI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
C.C.B. TRICHY CITY,
TRICHY DISTRICT.
- 4.THE OFFICER INCHARGE,
SUB JAIL, LALGUDI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15678 of 2020
Date :23/12/2020

GNS
TK/PN/SAR.3/23.12.2020/3P/6C