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

Date : 21/05/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6538 of 2021

Vignesh

... Petitioner/1st Accused

Vs

The State by,
The Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.1/2021).

... Respondent/Complainant

For Petitioner : Mr.Venkatesh,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.1/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is in custody from 23.03.2021 for the offences under Sections 406, 467, 471, 294(b), 506(i), 420 and 120(B) of I.P.C., and Section 24(1)(b) of the Emigration Act 1983 in Crime No.1 of 2021 on the file of the respondent police.

2.Heard both sides.

3.It is a case of job racketing. The petitioner and other accused had received a sum of Rs.17 lakhs from the defacto complainant and seven others with an assurance that they would get job for them and thereafter cheated them. Hence the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is nothing to do with the alleged offence and he is falsely implicated in this case. He seeks bail.



5.The learned Additional Public Prosecutor appearing on behalf of the respondent police would submit that the petitioner is in judicial custody for the past 60 days.

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6.Without going into the merits of the case and since the offence are punishable under Sections 406, 467, 471, 294(b), 506(i), 420 and 120(B) of I.P.C., and Section 24(1)(b) of the Emigration Act 1983 with imprisonment upto 10 years, this Court is inclined to grant statutory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on the following conditions:

i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the Judicial Magistrate No.II, Sivagangai.

ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

iii) The petitioner shall appear before the respondent police once in a week i.e on every Monday at 10.30 a.m until further orders.

iv) The petitioner shall not tamper with evidence or witness.

v) the petitioner shall not abscond either during investigation or trial.

vi)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]**.

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

sd/-

21/05/2021

/ TRUE COPY /

/ /2021

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 NO. II,
SIVAGANGAI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
4. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6538 of 2021
Date : 21/05/2021

MRN/LS
PK/JC/SAR-IV/21.05.2021 : 3P/6C