



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.2665 of 2022

Sathishkumar

... Petitioner

Vs.

State Represented by Inspector of Police,
District Crime Branch,
Krishnagiri,
Krishnagiri District.
(Crime No.1 of 2022)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the Petitioner on bail in Crime No.1 of 2022 pending on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

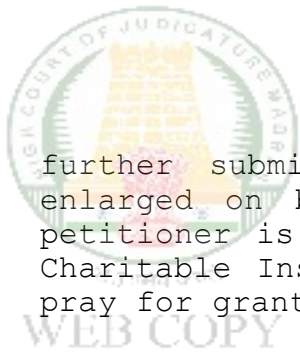
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 20.01.2022 for the offences under Section 420 of I.P.C in Crime No.1 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Craft Area Manager in Jio Mart. A1 to A3 are working in Reliance SMSL Limited. The Retailers and the Wholesalers order their provision products through the Jio Merchant App. Only the cash on delivery payment process will be made over for every order. A1 to A3 announced the fake scheme to their customers and first cash should be given after that provision products will be supplied by that scheme. A1 to A3 delivered the provision products to their customers and cheated the Jio Market to the tune of Rs.31,00,000/- Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that he has been suffering incarceration for more than 14 days from 20.01.2022. He



further submits that already co-accused/ A1 and A3 were already enlarged on bail. However, on instructions, he submits that the petitioner is ready and willing to pay a sum of Rs.25,000/- to any Charitable Institute as may be directed by this Court and he would pray for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor raised objection stating that the defacto complainant is the Craft Area Manager in Jio Mart. A1 to A3 working in the Reliance SMSL Limited. The Retailers and the Wholesalers order their provision products through the Jio Merchant App. After taking the orders they forward the same to the defacto complainant's company. Only the cash on delivery payment process will be made over for every order. A1 to A3 announced the fake scheme to their customers and first cash should be given after that provision products will be supplied by that scheme. A1 to A3 delivered the provision products to their customers and cheated the Jio Market to the tune of Rs.31,00,000/-. He further submits that the investigation was almost completed.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the period of incarceration undergone by the petitioner and the investigation was almost completed and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.25,000/- for charitable purpose, this Court is inclined to grant bail to the petitioner with certain conditions;

(a) the Petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the Petitioner has been confined and thereafter on his release;

(b) the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) to the Registered Advocate Clerks Association, Krishnagiri District and on such deposit, the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only), before the learned Judicial Magistrate No.II, Krishnagiri within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c)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;

(d) the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders;

(f)the petitioner shall not tamper with evidence or witness either during investigation or trial;



(g) the petitioner shall not abscond either during investigation or trial;

(h) 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]; and;

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
04/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE,
KRISHNAGIRI DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KRISHNAGIRI, KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, KRISHNAGIRI.

6 THE REGISTERED ADVOCATE CLERKS ASSOCIATION,
KRISHNAGIRI DISTRICT.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges

CRL OP.2665/2022

Date :04/02/2022

INBA~07/02/2022