



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5677 of 2022

Babu Ram

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Udulumalaipet Police Station,
Tiruppur.
(Crime No.93 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.93 of 2022 on the file of the Inspector of Police, Udulumalaipet Police Station, Tiruppur.

For Petitioner : M/s.P.Thinеш

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

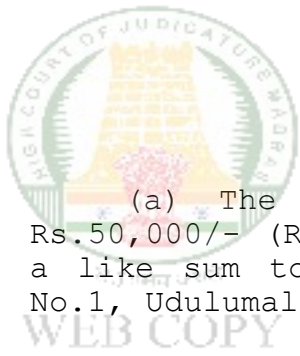
For Intervenor : Mr.K.Mohanraj

ORDER

The petitioner, who was arrested on 27.11.2021 for the offences punishable under Sections 417, 506(i), 409 of IPC in Crime No.93 of 2022, on the file of the respondent police, seeks bail.

2. The F.I.R. alleges that the petitioner herein received a sum of Rs.5,37,000/- for the supply of sugar but failed to deliver it. The defacto complainant has not furnished any proof for payment of such a huge amount except saying that when the payment was made, his employee was present.

3.Considering the fact that the complaint appears to be civil transaction. Hence, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall execute 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 No.1, Udulumalaipet.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

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

-sd/-
11/03/2022

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.I, UDULUMALAIPET, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
UDULUMALAI PET POLICE STATION,
TIRUPPUR.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.THINESH Advocate on payment of necessary charges

CRL OP.5677/2022

Date :11/03/2022

CSK 14/03/2022