



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.13323 of 2022

Maniraj

.. Petitioner/A2

Vs.

State rep by
Station House Officer,
Kallakurichi Police Station,
Kallakurichi District
crime No.212 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.212 of 2022 pending investigation on the file of the respondent police.

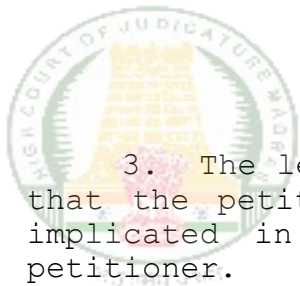
For Petitioner : Mr.P.Tamilavel

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.04.2022 for the offence punishable under Sections 294(b), 420, 506(1) of IPC in crime No.212 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that A1 is a friend of the defacto complainant and A1 represented that she is a shareholder of GOLD/LYF INFO PVT LTD and she is very close to the petitioner/A2 and they are doing online trading business. A1 and A3 promised the defacto complainant that if he pays money, they will return it by doubling within particular period and on promise, the defacto complainant deposited Rs.2,60,000/- to the petitioner concern. Thereafter, when he demanded the money, they refused to do so and also threatened with dire consequences. Hence, the case.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the defacto complainant had given Rs.2,60,000/- to the accused persons as they promised that they will double the amount. However, they cheated the defacto complainant. He would further submit that the petitioner has five previous cases similar in nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. There are totally three accused, in which the petitioner is arrayed as A2. The petitioner and other accused persons cheated the defacto complainant to the tune of Rs.2,60,000/- on the pretext of giving the said money with interest. Considering the facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e. 13.04.2022, this Court is inclined to grant bail to the petitioner. 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 blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Kallakurichi and on further conditions that:

[a] 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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].



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

-sd/-
13/06/2022

WEB COPY

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, KALLAKURICHI

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE STATION HOUSE OFFICER,
KALLAKKURICHI POLICE STATION,
KALLAKKURICHI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S P.TAMILAVEL Advocate on payment of necessary charges
SR.NO.8919

CRL OP.13323/2022

Date :13/06/2022

JPA 14/06/2022