



Crl.O.P.No.17392 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2022

CORAM

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

Crl.O.P.No.17392 of 2022

Krishnakumar

...Petitioner

Vs.

State rep. by
The Inspector of Police,
CCD-II Police Station,
Krishnagiri.
Crime No.19 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.19 of 2022, on the
file of the Respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.06.2022 for the offences punishable under Sections **406, 420, 471 of IPC** in Crime No. 19 of 2022 on the file of the respondent police, seeks bail.

2. The petitioner herein has committed the offence of cheating by way of collecting Rs.5,100/- from various persons and further alleged that the petitioner obtained work without paying salary. Hence, the case.

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. He would further submitted that the petitioner has been suffering incarceration from 03.06.2022. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that, investigation is at initial stage. He further submitted that the petitioner was



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involved in similar offence in two other district also and a sum of Rs.50,23,963/- has been cheated by the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 03.06.2022, this Court is inclined to grant bail to the petitioner.

6. 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.II, Krishnagiri** 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 twice daily at 10.30.a.m., and 04.30.p.m until further orders.



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[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.

26.07.2022

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To

1. Judicial Magistrate, No.II,



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Krishnagiri.

2. The Inspector of Police,
CCD-II Police Station,
Krishnagiri.
3. Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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