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Crl.OP.No.18277 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

Crl.OP.No.18277 of 2022

Thiyagarajan

...Petitioner

Vs.

The State rep by,
The Inspector of Police,
Manali New Town Police Station,
Chennai District.
(Crime No.204 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.204 of 2022 for the offence under Sections 465, 468, 471, 420 read
with Section 34 of IPC on the file of the respondent police.

For Petitioner	: Mr.G.Ilamurugu
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor
For Intervenor	: Mr.M.Aswin



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Crl.OP.No.18277 of 2022

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.06.2022 for the offences punishable under Sections 465, 468, 471, 420 read with Section 34 of IPC in crime No.204 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused cheated the defacto complainant huge money by creating a fake mail id in the name of M/s. Dream Sketch builders. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 29.06.2022. Hence, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that counter complaint has been lodged against the defacto complainant. However, he opposed for grant of bail to the petitioner.



Crl.OP.No.18277 of 2022

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, from the date of his arrest i.e., 29.06.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Ponneri** 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 5.30 p.m. for a period of two weeks and thereafter as and when required for interrogation.

[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.



CrI.OP.No.18277 of 2022

[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.

05.08.2022

Sma



Crl.OP.No.18277 of 2022

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To

1. Judicial Magistrate -II,
Ponneri.
- 2.The Inspector of Police,
Manali New Town Police Station,
Chennai District.
3. Sub Jail,
Ponneri
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.OP.No.18277 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.18277 of 2022

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