



WEB COPY



CrI.OP.No.18821 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

CrI.OP.No.18821 of 2022

Jaganathan

..Petitioner

Vs.

State rep. by
The Inspector of Police,
CCB Police Station, Tiruppur City,
Tiruppur District.
(Cr. No.13 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.13 of 2022 pending
investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 08.07.2022 for the offence under Sections 420, 419, 465, 468,



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471, 34 of IPC in crime No.13 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is arrayed as A2 out of 5 accused persons. A1 doesn't own any property. He impersonated himself as owner of the property and executed sale deed in favour of the *de-facto* complainant and received a sum of Rs.1,22,79,000/- for sale consideration. The petitioner also received a sum of Rs.20,00,000/- as commission from the A1. Thereafter, the *de-facto* complainant found that the subject property was not owned by A1 and it belongs to some other person.

3. The learned counsel appearing for the petitioner would submit that as far as the petitioner is concerned, he has received some sum of rupees and he is ready and willing to return back the amount.

4. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of his



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arrest i.e. 08.07.2022, this Court is inclined to grant bail to the petitioner.

Accordingly, the petitioner is directed to deposit a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) to the credit of Crime No.13 of 2022, and on such deposit, 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 sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Tiruppur** 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. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) to the credit of Crime No.13 of 2022, before the concerned learned Magistrate, at time of execution of bond.

[d] any deposit made by the petitioner, the *de-facto* complainant is permitted to withdraw the said amount by filing appropriate application before the concerned jurisdiction magistrate court in Crime No.13 of 2022.

[e] the petitioner shall not abscond either during investigation



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or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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]**.

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

10.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial MagistrateNo.II, Tiruppur.
- 2.The Inspector of Police,
CCB Police Station, Tiruppur City,
Tiruppur District.
- 3.District Jail, Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras

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