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CrI.OP.No.19189 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

CrI.OP.No.19189 of 2022

Senthil Kumar

...Petitioner

Vs.

The State Represented by
The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore.

(Crime No: 442 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.442 of 2022 on the file of the respondent.

For Petitioner : Mr.K.Balasubramaniam
For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 08.07.2022 for the offences punishable under Sections 406,
420, 465, 467 of IPC in crime No.442 of 2022 on the file of the
respondent police, seeks bail.



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2. The case of the prosecution is that petitioner and his wife gave false promise to the *de-facto* complainant stating that they will arrange Government job for the *de-facto* complainant's husband and her brother and received a sum of Rs.8,50,000/- on various occasions. Thereafter, the accused neither arranged job nor returned the money to the *de-facto* complainant and thereby cheated the *de-facto* complainant. Hence, the complaint.

3. It is a case of job racketing. Both the accused persons received a sum of Rs.8,50,000/-. The petitioner was working as Head Constable and assured that to get a job. However, the occurrence took place in the year 2017. Thereafter, there was an agreement between them.

4. 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., 08.07.2022, 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**



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only) with **two blood related sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.III, Coimbatore**, 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 six 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.

[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.

16.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate No.III, Coimbatore.
- 2.The Inspector of Police,
E-1, Singanallur Police Station,
Coimbatore.
- 3.Central Prison - Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras

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