



Crl.OP.No.19343 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2022

CORAM

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

Crl.OP.No.19343 of 2022

P.Murugesan

...Petitioner

Vs.

The State,
Represented by the Inspector of Police,
DCB Police Station,
Namakkal District – 638006.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.07/2022 dated
25.05.2022, on the file of the Respondent Police, pending investigation.

For Petitioner :Mr.Nirmal Aditya

For Respondent :Mr.A.Damodaran
Additional Public Prosecutor



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CrI.OP.No.19343 of 2022

ORDER

The petitioner, was arrested and remanded to judicial custody on 19.07.2022 for the offences punishable under Sections 174 of Cr.P.C. and Sections 420, 120 B, 468, 471, 420 of I.P.C read with Section 4 of Tamilnadu Prohibition of Charging exorbitant Interest Act 2003 in crime No.7 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there are totally four accused and the petitioner is arrayed as A4. It is alleged that the defacto complainant's husband obtained loan from the from the first accused on executing poser of attorney with regard to the subject land in favour of his family members A3 to A6. Hence, the case.

3. The learned counsel for the petitioner submitted that the matter had been settled between the parties. Hence, he prays for grant of bail to the petitioner.



CrI.OP.No.19343 of 2022

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4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of arrest i.e., 19.07.2022, this Court is inclined to grant bail to the petitioner.

5. 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-I, Pallipalayam** 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 10.30.am., and 04.30 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.



CrI.OP.No.19343 of 2022

WEB COPY

[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.

25.08.2022

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Crl.OP.No.19343 of 2022

WEB COPY

To

- 1.The Judicial Magistrate-I,
Pallipalayam.
- 2.The Inspector of Police,
DCB Police Station,
Namakkal District – 638006.
- 3.Thiruchengode Sub Jail.
- 4.The Public Prosecutor,
High Court of Madras



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CrI.OP.No.19343 of 2022

G.K.ILANTHIRAIYAN, J.

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CrI.O.P.No.19343 of 2022

25.08.2022