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CrI.OP.No.19856 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

CrI.OP.No.19856 of 2022

G.Harikrishnan

...Petitioner/A1

Vs.

State rep. by
The Inspector of Police,
H8 Thiruvottiyur Police Station,
Thiruvallur District.
(Crime No.538 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner/accused on bail in connection with the
Cr.No.538/2022 pending investigation on the file of the respondent
police.

For Petitioner : Mr.G.Punniakoti
For Respondent :Mr.A.Gopinath,
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 01.07.2022 for the offences punishable under Sections 406,
420 and 506(ii) of IPC in crime No.538 of 2022 on the file of the
respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner had received a sum of Rs.17,00,000/- from the *de-facto* complainant promising to secure a government job and failed to comply the same. Hence, the complaint.

3. The petitioner received a sum of Rs.17,00,000/- from the victim to get a job. The petitioner neither secured the job nor returned the money.

4. The learned counsel appearing for the petitioner submitted that the entire amount was received by other accused who was introduced by the petitioner. However, he is ready and willing to deposit some reasonable amount as imposed by this Court.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) directly to the *de-facto* complainant in Crime No.538 of 2022 by way of



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Demand Draft and on such payment, 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, Thiruvottiyur**, 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 pay a sum of Rs.5,00,000/-(Rupees Five Lakhs Only) directly to the *de-facto* complainant in Crime No.538 of 2022 by way of Demand Draft and the proof shall be produced before the learned Magistrate concerned at time of execution of bond.

[c] 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.

[d] the petitioner shall not abscond either during investigation or trial.

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

[f] 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



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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]**.

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

23.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate, Thiruvottiyur.
- 2.The Inspector of Police,
H8 Thiruvottiyur Police Station,
Thiruvallur District.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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