



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/04/2022

PRESENT

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The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). Nos.5414, 5415 & 5416 of 2022

Saravanakumar @ Saravanan

... Petitioner/Sole Accused
(in all OPs)

Vs

The Sub-Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime No.67/2022, 676/2021
and 65/2022).

... Respondent/Complainant
(in all OPs)

(in all OPs)

For Petitioner : Mr.B.Vinothkumar,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

PETITIONS FOR BAIL Under Section 439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime Nos.67 of 2022, 676 of 2021 and 65 of 2022 on
the file of the Respondent Police respectively.

COMMON ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to
judicial custody on 12.02.2022 for the offence punishable under
Section 420 IPC, in Crime Nos.67 of 2022, 676 of 2021 and 65 of
2022, on the file of the respondent police respectively, seeks bail.

2.The case of the prosecution, in Crl.O.P.(MD)No.5414 of 2022,
is that the defacto complainant tried to withdraw the money from his
account in ATM centre and when he could not process the same, he
asked the petitioner to help him and at that time, the petitioner
had withdrawn a sum of Rs.15,000/- from the defacto complainant
account without his knowledge. Hence, the complaint.

3.The case of the prosecution, in Crl.O.P.(MD)No.5415 of 2022,
is that the defacto complainant tried to withdraw the money from his
account in ATM centre and when he could not process the same, he
asked the petitioner to help him and at that time, the petitioner
had withdrawn a sum of Rs.36,100/- from the defacto complainant
account without his knowledge. Hence, the complaint.



4.The case of the prosecution, in Crl.O.P.(MD)No.5416 of 2022, is that the defacto complainant tried to withdraw the money from his account in ATM centre and when he could not process the same, he asked the petitioner to help him and at that time, the petitioner had withdrawn a sum of Rs.32,056/- from the defacto complainant account without his knowledge. Hence, the complaint.

5.The learned Additional Public Prosecutor would submit that the total amount involved in all the three cases is Rs.84,000/-.

6.When the matter is taken up for hearing today, the learned counsel for the petitioner has filed an undertaking affidavit, wherein, the petitioner has given an undertaking that he is ready to deposit a sum of Rs.84,000/- without prejudice his contentions.

7.Considering the above facts and circumstances and also the fact that the petitioner is in judicial custody from 12.02.2022 and also taking note of the undertaking affidavit filed by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

8.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (in each cases) each for a like sum to the satisfaction of the learned Judicial Magistrate, Kamuthi, Ramanathapuram District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall deposit a sum of **Rs.84,000/- (Rupees Eighty Four Thousand Only)** to the credit of Crime No.676 of 2021 on the file of the respondent police, without prejudice to his rights and contentions before the trial Court and produce the receipt / acknowledgment before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District, within a period of two weeks from the date of receipt of a copy of this order, failing which, the bail granted to the petitioner shall stand automatically cancelled.

(iii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iv)the petitioner shall not tamper with evidence or witness;

(v)the petitioner shall not abscond during trial;

(vi)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]**.



(vii) If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/04/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE OFFICER-INCHARGE,
DISTRICT PRISON,
VIRUDHUNAGAR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+3 CC to M/s.B.VINOTHKUMAR, Advocate (SR-2878, 2879 & 2880[I] dated 04/04/2022)

ORDER
IN
CRL OP(MD). Nos.5414, 5415 &
5416 of 2022
Date : 04/04/2022

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