



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

Date : 18/04/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.7057 of 2022

Surya

... Petitioner/Accused No.6

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Karur.
Crime No.12 of 2021.

... Respondent/Complainant

For Petitioner : Mr.J.Sathia Raj,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.12 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 01.03.2022 for the offences punishable under Sections 120-b, 406, 420 and 464 IPC, in Crime No.12 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant is running a garment business in the name of M.G.S.Govindharaaju & Sons, that A1 contacted the de-facto complainant stating that he was running a finance company in the name of Gokulam Funding Solutions and he would avail loan of five crores with low interest and that on 13.10.2021, A1 approached the de-facto complainant and asked him to sign in five promissory notes and received a sum of Rs.18,75,000/- as advance interest amount. Later, when the de-facto complainant had enquired about the said company, he came to know that the company's address is fake one. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that the allegation against the present petitioner is that he had purchased two Sim cards for the first accused and that he is not having any previous case for similar offence.

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5.Considering the nature of the charges levelled against the petitioner and also the facts that the petitioner is in judicial custody from 01.03.2022 and that he is not having any previous case for similar offence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur.

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

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

(iv)the petitioner shall not abscond during trial;

(v)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]**.

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

sd/-

18/04/2022

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18/04/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.II,
KARUR.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, KARUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.J.SATHIA RAJ, Advocate (SR-3445[I] dated 18/04/2022)

ORDER
IN
CRL OP(MD) No.7057 of 2022
Date :18/04/2022

SJI
MK/VR/SAR.II/18.04.2022/3P/7C