



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

Friday, the Twenty Second day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) No.7281 of 2022

CHELLAPANDIAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
JEYAMANGALAM POLICE STATION,
THENI DISTRICT.
CRIME NO.29 OF 2022.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.AJMALKHAN S.A. Advocate
For Respondent : MR.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor,
For Intervenor : MR.J.VISHNU, Advocate

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

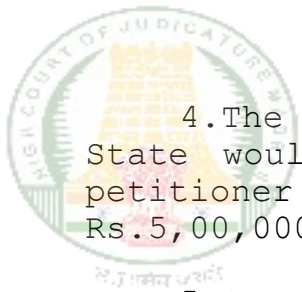
PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.29 OF 2022 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 25.03.2022 for the offence punishable under Sections 406 and 420 IPC, in Crime No.29 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner cheated the defacto complainant by giving false promise that he will arrange to get a Government job. But, he did not do the same, and not returned back the money. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 25.03.2022. He would further submit that the petitioner is ready and willing to deposit a sum of Rs.3,00,000/-, without prejudice to his rights and contentions.



4.The learned Additional Public Prosecutor appearing for the State would submit that it is a case of job rocketing and the petitioner has cheated the defacto complainant to the tune of Rs.5,00,000/-.

5.Considering the above facts and circumstances and also taking note of the submission made by the learned counsel for the petitioner that the petitioner is ready to deposit the amount before the jurisdictional Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) before the learned Judicial Magistrate, Periyakulam, to the credit of Crime No.29 of 2022 without prejudice to his rights and contentions.

7.On such deposit, 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 Court, Periyakulam.

(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 10.00 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/-

22/04/2022

/ TRUE COPY /

22/04/2022

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



TO

1 THE JUDICIAL MAGISTRATE,
PERIYAKULAM

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

3 THE OFFICER INCHARGE
SUB JAIL, PERIYAKULAM.

4 THE SUB INSPECTOR OF POLICE
JEYAMANGALAM POLICE STATION,
THENI DISTRICT.

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

+1. CC to M/S.AJMALKHAN S.A. Advocate SR.No.20553 dated 22.04.2022

ORDER

IN

CRL OP(MD) No.7281 of 2022

Date :22/04/2022

RS/PN/SAR.2 (22.04.2022) 3P-7C