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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13266 of 2022

Singaram @ Singaravelan

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
(Crime No.103/2022).

... Respondent/Complainant

For Petitioner : Mr.Ramasamy.S, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

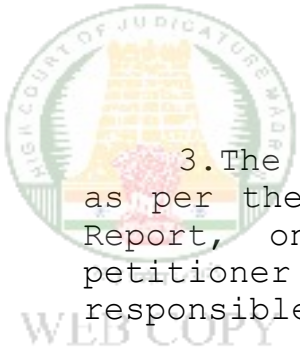
PRAYER :-

For Anticipatory Bail in Crime No.103/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 406 and 420 IPC in Crime No.103 of 2022 on the file of the respondent police.

2.The case of the prosecution, as per the complaint, is that the defacto complainant approached the petitioner and the 2nd accused, namely Kannan for the purpose of arranging a job in abroad. He arranged Rs.70,000/- and paid Rs.10,000/- to the 1st accused on 10.07.2020 and also paid Rs.50,000/- to the 3rd accused. Later, they defrauded and also failed to arrange the job for him in abroad. When the demand was made by the defacto complainant, the 3rd accused executed a document that he is responsible for the amount and he will pay the same. Later also, he failed, based upon which the present case has been registered.



3.The learned counsel for the petitioner would submit that even as per the allegation that has been made in the First Information Report, only a sum of Rs.10,000/- has been received by this petitioner and in respect of the rest of the amount, he is not responsible.

4.The learned Government Advocate (Crl.side) for the respondent has produced a document, which was executed by the 3rd accused that he will pay the amount to the defacto complainant on or before 25.10.2020. Later also, he failed. He would further submit that the petitioner is having two previous cases, which are assault in nature and no offence of cheating has been made against this petitioner on the previous occasion.

5.The respondent, who is the Investigation Officer, is present in person before this Court and has submitted that there was originally promise made by the accused 1 and 2 to return the amount, but later, they switched off their mobile phone and absconding.

6.Since limited allegation has been made against this petitioner that he received a sum of Rs.10,000/- from the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Paramakudi, on condition that the petitioner shall execute 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall also pay a sum of Rs.10,000/- to the credit of Crime No.103 of 2022 before the learned Judicial Magistrate, Paramakudi.

8.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

Sd/-
17/08/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.IV)
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.

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TO

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
NAINARKOIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. RAMASAMY.S Advocate SR.No.8687

ORDER
IN
CRL OP(MD) No.13266 of 2022
Date :17/08/2022

SP/JM/SAR IV/25/08/2022/3P/6C