



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD). No.17738 of 2022

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Sakthivel,
S/o.Veeramuthu,
558, Athithiravidar Street,
Sembattur Rajakulathur Post,
Pudukkottai District.

... Petitioner/Accused No.3

Vs

The State represented by
The Inspector of Police,
Thiruverumbur Police Station,
Trichy,
Trichy District.
(Crime No.158/2022).

... Respondent/Complainant

For Petitioner : Mr.B.Deepak,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr No.158/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested and remanded to judicial custody on 22.09.2022 for the offences punishable under Sections 420, 406 and 465 of IPC in Crime No.158 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first accused was running finance company namely, 'Share Bazar Training Centre at Trichy'. The accused No.1 & 2 approached the defacto complainant to deposit some amount in their finance company and promised that they will return the same with higher interest. On believing their words, she deposited a sum of Rs.12,00,000/-. Thereafter, they failed to repay the Principal amount and also the interest. On repeated demands, they gave two post dated cheques for a sum of Rs.2 lakhs.



She presented the above said cheques for collection. But, ne were returned with an endorsement as 'funds insufficient' and 'signatures different'. When the same was questioned by her, she was threatened with dire consequences. On the basis of the complaint, present case came to be registered.

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3.The learned counsel for the petitioner would submit that without prejudice to his rights, he is ready to deposit the amount that may be imposed by this Court. He would further submit that already co-accused (Accused 1 and 2) were released on bail by the Trial Court and amount was recovered from them. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is almost completed.

5.Considering the above and also the nature of the charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain 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.VI, Trichy, and on further condition 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 Aadhaar card or bank pass book to ensure their identity.

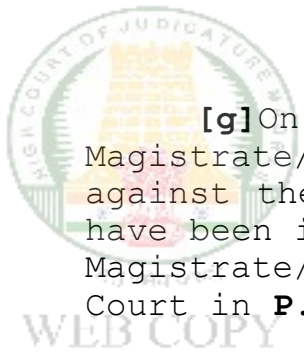
[b] the petitioner shall pay a sum of **Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.158 of 2022** without prejudice to his rights and contentions before the trial Court. The petitioner shall execute the sureties on showing the receipt of the said amount.

[c] **On such deposit being made the defacto complainant is permitted to withdraw the above said amount by following proper procedure.**

[d] **the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m., for a period of three (3) months and thereafter as and when required for interrogation.**

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

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



[g]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]**.

sd/-
06/10/2022

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06/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS/MGA

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 No.VI, Trichy.
2. The Chief Judicial Magistrate,
Trichy District.
3. The Superintendent,
Central Prison,
Trichy.
4. The Inspector of Police,
Thiruverumbur Police Station,
Trichy,
Trichy District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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