



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 26/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18943 of 2022

WEB COPY

Rasu

... Petitioner/Accused No.1

Vs

The State Rep. By,
The Sub Inspector of Police,
Sendamaram Police Station,
Tenkasi District.
(Crime No.283/2022).

... Respondent/Complainant

For Petitioner : M/s.Thalaimutharasu G,
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.283/2022 on the file of the Respondent Police.

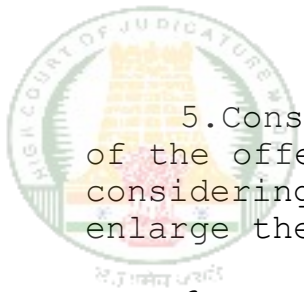
ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 15.09.2022 for the offences punishable under Sections 120(B), 420, 406 and 473 of IPC, in Crime No.283 of 2022, on the file of the respondent police, seeks bail.

2.The earlier bail petition filed by the petitioner was dismissed by this Court on 06.10.2022, on considering the gravity of the offence.

3.Now, the petitioner has filed this second bail petition on the ground that in this case, co-accused was already enlarged on bail. The petitioner is innocent and he has been falsely implicated in this case. The petitioner is noway connected with the offence. The petitioner is in custody from 15.09.2022. Hence, prays to release the petitioner on bail.

4.On the side of respondent, it is stated that in this case, totally 12 accused and this petitioner is arrayed as A1. The accused persons committed the offence of forgery, by pledging fake jewels in the bank and hence, prayed to dismiss the petition.



5. Considering the facts and circumstances of the case, of the offence, the co-accused was already enlarged on bail and also considering the period of incarceration, this Court is inclined to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner shall deposit a sum of **Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the credit of credit of Crime No.283 of 2022, before the Judicial Magistrate, Tenkasi**, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the trial Court.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Tenkasi.

a) 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;

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

c) the petitioner shall not tamper with evidence or witness;

d) the petitioner shall appear before the concerned Court on all hearing dates and appear before the respondent Police, as and when required;

e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
26/10/2022

/ TRUE COPY /

26/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
TENKASI.

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

3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4. THE SUB INSPECTOR OF POLICE,
SENDAMARAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-11919[I] dated
26/10/2022)

ORDER

IN

CRL OP(MD) No.18943 of 2022

Date :26/10/2022

pnm

USK/SBN/SAR- /26.10.2022/3P/7C