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Crl.OP.No.10346 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

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THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10346 of 2023

Vedagiri

..Petitioner

Vs.

The State Represented by
The Inspector of Police,
District Crime Branch,
Cuddalore 607001.
(Crime No.7 of 2023)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.7 of 2023 on the file of the
respondent Police.

For Petitioner : M/s M.Maryrani

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

For Intervenor : Mr.M.Velmurugan

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.04.2023 for the offence punishable under Sections 120(b), 406, 420 of IPC,
in Crime No.7 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 and A2 jointly conducted a



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chit finance scheme and swindled the money to the tune of Rs.4 Crores from various members of the chit fund. The defacto complainant had taken various chits with A1 and A2 and paid huge amount. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration from 01.04.2023 and in order to show his bonafide, the petitioner is ready and willing to deposit the original title deeds of immovable property worth about Rs.50 Lakhs to the credit of crime number and he is also ready to abide by any stringent conditions that may be imposed against him. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally 4 accused, in which the petitioner is arrayed as A4. A1 and A2 conducted chit business and cheated the general public to the tune of Rs.91,90,000/-. In another complaint, they have also cheated nearly Rs.4 Crores. As far as the petitioner is concerned, he is the husband of the first accused and according to him he has nothing to do with the



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business conducted by A1. In fact, they are living separate for the past 8 years.

Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that there are totally 4 accused, in which the petitioner is arrayed as A4. A1 and A2 conducted chit business and cheated the general public to the tune of Rs.91,90,000/-. In another complaint, they have also cheated nearly Rs.4 Crores. As far as the petitioner is concerned, he is the husband of the first accused and according to him he has nothing to do with the business conducted by A1. In fact, they are living separate for the past 8 years.

6. Considering the above facts and circumstances of the case, and also considering the period of incarceration undergone by the petitioner from 01.04.2023, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to **deposit original title deed** stands in the name of the petitioner or in name of his friends or relatives (**not less than Rs.50,00,000/-**) along with the **valuation certificate obtained from the authority concerned** to the credit of Crime No.7 of 2023, within a period



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of two weeks from the date of receipt of a copy of this order, without prejudice to their right of defence and on such deposit, 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 learned Judicial Magistrate-II, Cuddalore and on further conditions 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall **deposit original title deed** stands in the name of the petitioner or in name of his friends or relatives (**not less than Rs.50,00,000/-**) along with the **valuation certificate obtained from the authority concerned** to the credit of Crime No.7 of 2023, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to their right of defence.

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., and 05.00 p.m, for a period of four weeks and thereafter as and when required for interrogation.

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

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

[f] 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



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laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

05.05.2023

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To

- 1.The Judicial Magistrate-II, Cuddalore.
- 2.The Inspector of Police,
District Crime Branch,
Cuddalore 607001.
3. The Sub Jail,
Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.



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