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CrI.O.P.No.13988 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.13988 of 2023

Seenimohamed

... Petitioner

Vs.

State Rep By  
Inspector of Police  
Thiruvannamalai Taluk Police Station  
Thiruvannamalai  
(Crime No.330 of 2023)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner on bail, in Crime No.330 of 2023, on the file  
of the respondent Police.

For Petitioner : Mr.P.K.Ilavarasan

For Respondent : Mr.C.E.Pratap  
Government Advocate (CrI.Side)



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## ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.05.2023, for the offences punishable under **Sections 420 and 506(i) IPC**, in Crime No.330 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant Manikandan is that the accused induced him stating that on purchase of Iridium, he would be getting profit by 5 times, which made him to invest a sum of Rs.25 lakhs and thereafter, the accused cheated him. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this and it is a case and case in counter. The petitioner had already given a complaint against the defacto complainant for assaulting him and for robbing his car and jewels based on which, a case in Crime No.332 of 2023 has been registered by the very same respondent against the defacto complainant and as a counter blast, a false case has been given against the petitioner as if, the



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petitioner cheated him to the tune of Rs.25 lakhs. He would further submit that the petitioner has been languishing in jail from 28.05.2023 and he is ready to abide by any stringent conditions as may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police vehemently opposed for the grant of bail to the petitioner stating that the petitioner induced the defacto complainant on the promise of purchasing iridium, he would be getting profit by 5 times, made him to invest a sum of Rs.25 lakhs and thereafter, cheated him.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the contents of the FIR.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, 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 No.II, Thiruvannamalai District**, 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 report before the respondent Police, everyday at 10.30 a.m. until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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]***;



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

**23.06.2023**

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To

1. The Judicial Magistrate No.II, Thiruvannamalai District
2. The Inspector of Police  
Thiruvannamalai Taluk Police Station  
Thiruvannamalai
3. The Central Prison, Vellore
4. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA.,J.**

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