



CrI.OP.No.20923 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.OP.No.20923 of 2023

G.Rajkumar

...Petitioner

Vs.

The State Rep by
The Inspector of Police,
Fairlands Police Station,
Salem City,
Salem District.
(Crime No.118 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.118 of 2023 on the file of respondent Police.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.08.2023 for the offence punishable under Section 420, 465, 468 and 511 I.P.C, 1860, in Crime No.118 of 2023 on the file of the



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respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner is falsely implicated as accused in Crime No.118 of 2023 for the offences under Section 420, 465, 468 and 511 I.P.C, 1860. Petitioner is in judicial custody from 12.08.2023. Thus, he prays for grant of bail.

3.In response, the learned Additional Public Prosecutor submitted that defacto-complainant is the Manager of Crossfields Water Purifiers Pvt Ltd, Coimbatore. Petitioner was working under Crossfields Water Purifiers Pvt Ltd, Coimbatore. It came to the notice of the company that petitioner used fake receipts and earned money. Therefore, he was terminated in 2022. Even thereafter, petitioner using the name of Crossfields Water Purifiers Pvt Ltd, Coimbatore, and fake receipts in the name of the company, entered into maintenance contract with customers, used spurious spare parts and spoiled the good will of the company. He received money from several customers using the fake receipts. Therefore, complaint was registered.

4.Considered the rival submissions and perused the records.



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5.Considering the nature of the allegations made against the petitioner, that petitioner is in judicial custody from 12.08.2023 and that material part of investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with 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 – V, Salem**, 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 daily at 10.00.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



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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].

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

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To

- 1.The Judicial Magistrate – V,
Salem.
- 2.The Inspector of Police,
Fairlands Police Station,
Salem City,
Salem District.
- 3.Central Prison
Salem.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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