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CRL OP(MD).



23

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

Date : 16/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4965 of 2023

Veeramani

... Petitioner/Accused No.4

Vs

State rep. by,
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(In Crime No.109/2023).

... Respondent/Complainant

For Petitioner : M/s.Anto Prince G,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.109/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A4 who was arrested and remanded to judicial custody on 29.01.2023 for the offences under section 406,420 of IPC @ 120(B),406,420 of IPC r/w.34 of IPC in Crime No.109 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that A1 is doing gold business in the name and style of Ashokan Golden Jewellery shop at Pattukottai and he canvassed the public including the defacto complainant through his employers to invest amount towards gold chits, due to which she invested Rs.45,300/-@ Rs.300 per month. In that circumstance the said ship was closed and the owner was absconding. The further allegation is that A1 cheated the public in branches at Thanjavur, Orathanadu and Thirukattupallil



through his employees. The total amount cheated is to the tune of Rs.30,41,01,683/-, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

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4. It is seen that there are four accused in this case and the petitioner herein is arrayed as A4. Admittedly the petitioner was working as cashier in one of branch of A1. The allegation against A1 and A2 is that they were running jewelry shop in the name of Ashokan Golden Jewellery shop at Pattukottai and they have collected 49968.955 grams of gold from 2500 victims and received a sum of Rs.30,41,01,683/- and now they are absconding and their whereabouts are not known. Further A1 and A2 have four branches in and around Tanjavur and in one branch the petitioner was working as Cashier. The petitioner is a B.E. graduate and he has joined three years before and receiving monthly salary from A1 and A2. In fact A3 who was the Manager on one of the branch was arrested and subsequently released on bail by the learned Principal Sessions Judge, Thanjavur on 10.02.2023 in Cr.M.P. No.847 of 2023. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Pattukottai, Thanjavur District and on further conditions that:

[b] 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.

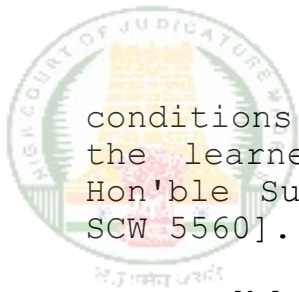
[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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 or 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].

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

sd/-
16/03/2023

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

AAV

TO

1. Judicial Magistrate, Pattukottai, Thanjavur District.
2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
3. The Officer In-Charge, Sub Jail, Thanjavur.
4. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.ANTO PRINCE G, Advocate (SR-4402[I] dated 16/03/2023)

ORDER
IN
CRL OP(MD) No.4965 of 2023
Date : 16/03/2023

NA/SBN/SAR/16.03.2023/3P/7C

<https://www.mhc.tn.gov.in/judis>