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CRL OP(MD).



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

Date : 29/03/2023

PRESENT

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

CRL OP(MD) . No.5764 of 2023

1. Suganya
2. Ponrasu @ Ponraj ... Petitioners/Accused 6, 8

Vs

State rep. by,
The Inspector of Police,
District Crime Branch,
Dindigul District
(Crime No.39 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Roniga M.P.,
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.39 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners /A6 and A8 who were arrested and remanded to judicial custody on 30.01.2023 for the offences under sections 120B, 406, 420 of I.P.C in Crime No.39 of 2022 on the file of the respondent police seek bail.

2.The case of the prosecution is that accused No.1/Arumugam was
<https://www.mca21.com.in/> Edichit, Diwali Fund and an entrepreneur at Kubambapatti for



the past 15 years. The first accused had promised the par of the chit that he would pay 3% interest every month on the accounted principal amount. Believing the said words, the Villagers had invested the money and the first accused had cheated a sum of Rs.6.5 crores. In accordance with the issue, the first accused promised to settle the entire dues by selling his complex. But the first accused had sold the property to a third party and now, he is absconding. Based on the complaint lodged by one Nalla Thambi, F.I.R has been registered by the respondent police against 9 accused in Crime No.39 of 2022.

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

4. Taking into consideration the facts and submissions made by the learned counsels and also the period of incarceration and also the fact that co-accused were granted anticipatory bail by this Court, this court is inclined to grant bail to the petitioners , subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Dindigul 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 petitioners shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

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

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

[f] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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[h] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

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

AAV

TO

1. The Judicial Magistrate No.II, Dindigul.
 2. Do through the Chief Judicial Magistrate,
Dindigul.
 3. The Officer In-Charge, Women Prison, Nilakkottai.
 4. The Officer In-Charge, District Prison, Dindigul.
 5. The Inspector of Police,
District Crime Branch,
Dindigul District
 6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.P.RONIGA, Advocate (SR-5029[I] dated 29/03/2023)

ORDER

IN

CRL OP(MD) No.5764 of 2023

Date : 29/03/2023

NA/MMS/SAR- /29.03.2023/3P/8C