



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.5766 of 2023

Amaladoss

... Petitioner / Accused No.2

Vs

State rep by
The Inspector of Police,
EOW-Trichy,
Trichy District.
(Crime No.15 of 2017)

... Respondent / Complainant

For Petitioner : M/s.Ganapathi Subramanian 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 Cr.No.15 of 2017 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 28.02.2023 for the offences under sections 406,417,420,294(b), 506(2) of IPC r/w.section 5 of Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act, 1997 in Crime No.15 of 2017 on the file of the respondent police seeks bail.

2. The case of the prosecution, as per the de-facto complainant is that the petitioner and other accused were running a jewellery business in the name of Arctic Gold and Diamonds Jewellers Pvt. Ltd., and that they have collected amount from various depositors on the promise of returning gold jewels and after collecting a sum of Rs.9,83,450/-, they have cheated the depositors. Hence, the

<https://www.mhc.tn.gov.in/judis> 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 was granted anticipatory bail by this Court, 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 Special Judge, Special Court for TNPID Act Cases, Madurai 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 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].

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

sd/-
29/03/2023

/ TRUE COPY /

29/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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To

1.The Special Judge,
Special Court under TNPID Act Cases, Madurai.

2.The Inspector of Police,
EOW-Trichy,
Trichy District.

3.The Superintendent,
Central Prison, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.GANAPATHISUBRAMANIAN, Advocate (SR-5110[I] dated
29/03/2023)

ORDER

IN

CRL OP(MD) No.5766 of 2023

Date :29/03/2023

ED/SBN/SAR- (29/03/2023) 3P 6C