



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

Date : 12/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.6658 of 2023

WEB COPY

1. Raghunathan
2. Maniyazhagan

... Petitioners / Accused No.1 & 2

Vs

The State The State Rep.by by
The Inspector of Police,
Dcb Police Station,
Thanjavur District.
(Crime No.3 of 2023.)

... Respondent / Complainant

For Petitioners : Mr.R.J.Karthick, 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.No3 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 and A2 who were arrested and remanded to judicial custody on 03.03.2023 for the offences under sections 406,465,468,420 of IPC and Section 24 of Emigration Act in Crime No. 3 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the accused persons cheated the defacto complainant and forged the documents promising that they would sent him abroad for employment, but they did not send him for employment nor repaid the amount. The further allegation is that the accused persons have cheated 26 persons and collected money to the tune of Rs.26,10,000/-, hence the case.

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

4. It is seen that the petitioners have collected money from 26 victims to the tune of Rs.26,10,000/- in order to arrange job. Thereafter they never arranged job nor returned the money. The petitioners were arrested on 03.03.2023.



5. The learned counsel for the petitioners would submit that the petitioners without prejudice are ready and willing to deposit the some amount.

6. 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 petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions

[a] the petitioners shall deposit a sum of Rs.5,00,000/- to the credit in Crime No.3 of 2023 on the file of the respondent police without prejudice to his defence

[b] On such deposit being made, the petitioners shall 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, Pattukottai

[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity ;

[d] the petitioners shall report before the respondent police daily at 10.30 a.m and 5.30 pm., until further orders.

[e] the petitioners shall not tamper with evidence or witness.

[f] the petitioners shall not abscond during trial.

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

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

sd/-

12/04/2023

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12/04/2023

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



To

1.The Judicial Magistrate,
Pattukottai.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
DCB Police Station,
Thanjavur District.

4.The Officer Incharge,
Sub-Jail,
Thanjavur.

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

+1 CC to M/s.KARTHICK R.J, Advocate (SR-5771[I] dated 12/04/2023)

ORDER

IN

CRL OP(MD) No.6658 of 2023

Date :12/04/2023

ED/SSS/SAR- (12/04/2023) 3P 7C