



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

Date : 17/04/2023

PRESENT

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

CRL OP(MD) . No.6867 of 2023

T.Sankar

... Petitioner/Accused No.4

Vs

The Inspector of Police,
Sessions Court Police Station,
Trichy,
Trichy District.
Crime No. 86/2023.

... Respondent/Complainant

For Petitioner : M/s.Sakthivel.R,
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. 86 of 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 09.03.2023 for the offences under sections 406 and 420 of IPC in Crime No.86 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant approached the financier Rajkumar for borrowal of money and the said Rajkumar accepted to give loan to the defacto complainant to the tune of Rs.15 crores and for that loan amount he asked to purchase 2% of stamp paper and on 08.11.2022 at about 12.30 pm., as per the requisition of said Rajkumar the defacto complainant gave a sum of Rs.30,00,000/-to one Selvam and after receiving the amount from the defacto complainant the said Selvam fled from that place, hence the case.

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



4. As per the First Information Report the petitioner has been implicated as an accused based on the confession given by A1 to A3. Even according to the case of the prosecution the petitioner only collected money and handed over the same to the other accused. Taking into consideration 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 No.II, Trichy 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 four 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/-

17/04/2023

/ TRUE COPY /

17/04/2023

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



TO

1. The Judicial Magistrate No.II, Trichy.
2. Do through the Chief Judicial Magistrate, Trichy.
3. The Superintendent, Central Prison, Kalapet, Puducherry.
4. The Inspector of Police, Sessions Court Police Station, Trichy, Trichy District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC TO M/S.R.SAKTHIVEL, Advocate, SR.No.6085(I)

ORDER
IN
CRL OP(MD) No.6867 of 2023
Date : 17/04/2023

NA/VR/SAR- /17.04.2023/3P/7C