



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

Date : 17/05/2023

PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8623 of 2023

R.Pandi Selvi

... Petitioner/Accused No.3

Vs

State Rep.by.
The Inspector of Police,
District Crime Branch,
Madurai District.
Cr.No.7/2022.

... Respondent/Complainant

P.Murugesan

... Petitioner/Intervener/Defacto Complainant
In CRL MP(MD).7440/2023 IN CRL OP(MD).8623/2023

For Petitioner : Mr.Ajmal Khan, Senior Counsel
for M/s.Pamelin.W, Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

For Intervener : Mr.J.Karthikeyan, Advocate
for M/s.GANDHI ASSOCIATES

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

PRAYER :-

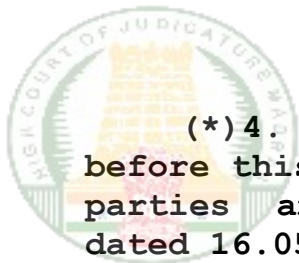
For Bail in Crime No.7/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 28.04.2023 for the offences punishable under Sections 420, 406 IPC in Crime No.07 of 2022 on the file of the respondent police, seeks bail.

(*)2. The case of the prosecution is that the petitioner along with other accused persons said to have cheated the defacto complainant and others to a sum of Rs.37,50,000/- in order to get Government job and thereafter cheated him by not securing the job , hence the case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the matter was settled between the parties and he prayed for bail.



(*)4. The learned counsel for the intervenor also appeared before this Court and stated that the matter was settled between the parties and he has also produced a copy of the terms of settlement dated 16.05.2023

5. The learned Government Advocate (Crl. side) appearing for the respondent also submitted that the matter has been settled between the parties and the investigating of the case has already been completed.

6. It is seen that the matter has been settled between the parties and that the copy of the terms of settlement also produced before 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 (one of which shall be a blood surety) each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, 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 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/-

17/05/2023

(*)For being mentioned as per the order dated 18/05/2023 in CRL OP(MD)No.8623 of 2023.

/ TRUE COPY /

18/05/2023

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

TRP



TO

To be substituted with the order dated 17/05/2023 already despatched

WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
 - 2 DO THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, MADURAI.
 - 4 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.PAMELIN.W Advocate SR.No.7445(I)

ORDER
IN
CRL OP(MD) No.8623 of 2023
Date :17/05/2023

RS/MMS/SAR-/18.05.2023/**3P/7C**

SS/CG/SAR /24/05/2023/3P/7C