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CRL OP(MD).



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

Date : 24/05/2023

PRESENT

The Hon`ble Mr. Justice P. VADAMALAI

CRL OP(MD) . No.9486 of 2023

Sethu Raman @ Sethu Ramachandran, ... Petitioner/Accused No.2

Vs

State rep. by its,
The Inspector of Police,
Thanjavur District Crime Branch Police Station,
Thanjavur.
(Crime No.6 of 2023). ... Respondent/Complainant

For Petitioner : Mr.Deenadhayalan.S,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

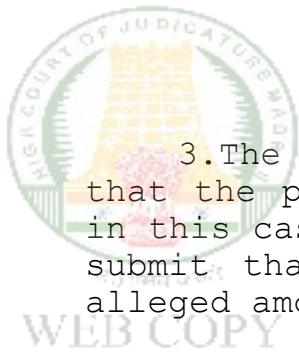
For Bail in Crime No. 6 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused No.2 who was arrested and remanded to judicial custody on 18.04.2023 for the offences under sections 406 and 420 of IPC in Crime No.6 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that as per the de-facto complainant is that on believing the false promise given by the petitioner and other accused, she had totally paid a sum of Rs.8,00,000/- to the accused for obtaining a Job in abroad. However, neither secured a job nor repaid the amount to the de-facto complainant. Hence, the case.

<https://www.mca.gov.in/>



3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The learned counsel appearing for the petitioner would submit that the petitioner is willing to deposit a part of the alleged amount to the credit of the crime number.

4.The learned Additional Public Prosecutor appearing for the respondent would contend that totally three accused involved in the case. The petitioner is A2 and he is in custody for 18 days and all other accused are also in custody.

5. 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 petitioner, subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Pattukkottai, Thanjavur District and on further conditions that :-

[a] 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.

[b] the petitioner shall deposit a sum of **Rs.2,70,000/- (Rupees Two Lakhs and Seventy Thouand only)** to the credit of the Crime No.6 of 2023 before the learned Judicial Magistrate, Pattukkottai, Thanjavur District.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned 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 is 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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[g] If the accused thereafter absconds, a fresh FII registered under Section 229A IPC.

sd/-
24/05/2023

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24/05/2023

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

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MRN

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THANJAVUR DISTRICT CRIME BRANCH POLICE STATION,
THANJAVUR,
- 4 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.DEENADHAYALAN.S, Advocate (SR-7811[I] dated 24/05/2023)

ORDER

IN

CRL OP(MD) No.9486 of 2023

Date :24/05/2023

PKP/ /SAR- /24.05.2023/ **3P/7C**