



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/06/2023
PRESENT

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

CRL OP(MD) . No.10712 of 2023

1. Parasuraman,

2. Ribathkamil,

... Petitioners/Accused 1 & 2

Vs

The State rep.by
The Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam Taluk,
Thanjavur District.
Cr.No.137/2023

... Respondent/Complainant

For Petitioners : M/s.ARAVINTHAN G,
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.137 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

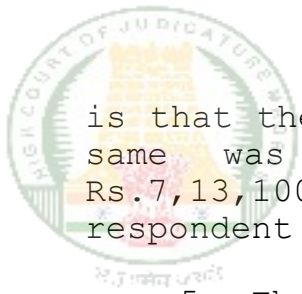
The petitioners /A1 and A2 who were arrested and remanded to judicial custody on 13.03.2023 for the offence under section 420 of IPC in Crime No.137 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the accused persons petitioner said to have pledged three spurious jewels and received a sum of Rs.7,13,100/- by producing fake aadhar card and phone numbers, hence the case.

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

4. It is seen that there are three accused in this case and the petitioners herein are arrayed as A1 and A2. The modus operandi

<https://www.mhc.tn.gov.in/judis>



is that the second petitioner manufacture spurious jewels the same was pledged by the first accused to the tune of Rs.7,13,100/-. Later it was found to be a spurious one and the respondent arrested the petitioners.

5. The learned counsel for the petitioners would submit that there are ready and willing to deposit some substantial amount as directed by this Court.

6. 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 petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to 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 No.I, Kumbakonam and on further conditions that:

[b] the petitioners shall deposit a sum of Rs. 1,00,000/- (Rupees one lakh only) each to the credit in Crime No.137 of 2023 on the file of the respondent police before the learned Judicial Magistrate No.I, Kumbakonam. On such payment, the concerned Magistrate is directed to accept the sureties furnished by the petitioner.

[c] 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.

[d] the petitioners shall report before the respondent police daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioners shall not commit any offences of similar nature.

[f] the petitioners shall not abscond either during investigation or trial.

[g] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Judicial 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 [SCW 5560]. [R

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

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sd/-
16/06/2023

/ TRUE COPY /

16/06/2023

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, KALAPET, PONDICHERY.
- 4 THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
KUMBAKONAM TALUK,
THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SIVABALAN, Advocate SR.No.8978 (I) Dt.16/06/2023

ORDER

IN

CRL OP(MD) No.10712 of 2023
Date :16/06/2023

SA/VR/SAR. /16.06.2023/3P/7C