



CRL OP(MD). No.13298 of 2023

WEB COPY

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

Date : 20/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.13298 of 2023

Arun

... Petitioner/ Accused, A3

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Kanyakumari District.
Crime No.36/2023..

... Respondent/Complainant

For Petitioner : MR.R.L.DHILIPAN PANDIAN, Advocate
for M/s.L.Lenish, Advocate
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.36/2023 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 07.06.2023 for the offences under sections 120 (B), 406,409,420 of IPC in Crime No.36 of 2023 on the file of the respondent police seeks bail.

2. The earlier petitions were dismissed by this Court on 22.06.2023 and 03.07.2023. Now, this is the third bail petition filed on the ground that the co-accused A1,A2 were enlarged on regular bail by the lower Court, as per the order in Crl.M.P.No.3785 of 2023, dated 17.07.2023. Hence, prays to enlarge him on bail, since the entire allegation is against the first accused and the petitioner is working as a Branch Manager only.

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CRL OP(MD). No.13298 of 2023

3.The learned Additional Public prosecutor would submit that out of the alleged amount involved Rs.1.5Crore, only Rs.59 lakhs returned by the first accused and the remaining jewels are not available with him. Hence, prays to dismiss the petition.

4.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5.Perusal of records reveal that with regard to the remaining jewels, summons issued to ICL Fincorp Limited, Karungal Branch, but the further steps taken by the respondent is not available in the CD file. Since the remaining jewels are available with M/s.ICL Fincorp Limited, Karungal, the said issue has to be investigated. Considering the fact that prime accused viz., A1, A2 enlarged on regular bail by the lower Court, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.I, Nagercoil, on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

20/07/2023

/ TRUE COPY /

20/07/2023

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

PNM

TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL

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CRL OP(MD). No.13298 of 2023

3 THE SUPERINTENDENT,
CENTRAL JAIL, NAGERCOIL.

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KANYAKUMARI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.LENISH, Advocate (SR-10970[I] dated 20/07/2023)

ORDER
IN
CRL OP(MD) No.13298 of 2023
Date :20/07/2023

RS/VR/SAR-(20.07.2023) 3P 7C

Madurai Bench of Madras High Court is issuing
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