



CRL OP(MD)No.16874 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 12.12.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.16874 of 2023

Sanjay Kumar

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
District Crime Branch,
Virudhunagar District.
(Crime No.10 of 2023)

... Respondent/ Complainant

Ramasubramanian

... Intervener Petitioner/Defacto Complainant
/Defacto Complainant

In CRL MP(MD).13638/2023 in CRL OP(MD).16874/2023

For Petitioner : Mr.S.Sarvagan Prabhu, Advocate
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor
For Intervenor : Mr.A.Balaji, Advocate

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

PRAYER :-

For Bail in Crime No.10 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
24.08.2023 for the alleged offence punishable under Sections 120(b), 403, 420, 506(i)



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IPC in Crime No.10 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is having a cotton mill at Rajapalayam. He got married 30 years back and he has no issue. In the year 2006, based on the advice given by a Siddha Doctor to help a family of widow, the defacto complainant was in relationship with the petitioner's mother. She is having three children. From the year 2017 to 2022 believing the words of A1, the defacto complainant on various dates had given a sum of Rs.4,20,00,000/-. When the same was demanded by the defacto complainant, the accused persons have threatened the defacto complainant with dire consequences. Hence the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 24.08.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner and other accused cheated the defacto complainant by not repaying the amount given by him. He would further submit that this is second petition for bail and there is no change in circumstances.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances and considering the fact that there is



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no change in circumstances, this Court is not inclined to grant bail to the petitioner.

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Accordingly, this criminal original petition is dismissed.

sd/-
12/12/2023

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/01/2024

Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, VIRUDHUNAGAR DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-17703[I] dated 13/12/2023)

ORDER

IN

CRL OP(MD) No.16874 of 2023

Date :12/12/2023

RS/VR/SAR-(03.01.2024) 3P 5C

Madurai Bench of Madras High Court is issuing
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