



CRL OP(MD). Nos.17364 & 17368 of 2023

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

Date : 04/10/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). Nos.17364 & 17368 of 2023

Jeganraj

... Petitioner/ Accused No.1
in CrI.O.P.(MD)No.17364/2023

Thameemansari

... Petitioner/ Accused No.4
in CrI.O.P.(MD)No.17368/2023

VS

The Sub Inspector of Police,
DCB, Police Station,
Theni District
(In Crime No.32 of 2023).

... Respondent/ Complainant
in both Cr.O.Ps

IN BOTH PETITIONS:

For Petitioner : M/s.K.MALATHI, Advocate.

For Respondent : Mr.RMS.SETHURAMAN, Additional Public Prosecutor

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

COMMON PRAYER :- For Bail in Crime No.32 of 2023 on the file of the Respondent Police.

COMMON ORDER

The petitioners, who were arrayed accused No.1 & 4, were arrested and remanded to judicial custody on 05.09.2023 for the alleged offence punishable under Sections 417, 420, 468, 471, 120(b) and 506(ii) I.P.C., in Crime No.32 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons have cheated the

<https://www.mhc.trngov.in/judis>



defacto complainant for using fabricated documents and also cheated several ways to the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would contend that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and hence, seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioners along with other accused cheated the defacto complainant through fabricated document by purporting to purchase the land and the investigation is still pending. Hence, he strongly opposed to enlarge the petitioners on bail.

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

6. Considering the facts and circumstances of the case and also considering 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, Theni, and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioners shall appear before the respondent police as well as the concerned Court on receipt of summons without fail;

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

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

[f] the petitioners 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 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 [(2005)AIR SCW 5560].

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

sd/-
04/10/2023

/ TRUE COPY /

04/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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LS

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, KANDAMANUR,
THEKKAMPATTI, THENI.

4 THE SUB INSPECTOR OF POLICE,
DCB, POLICE STATION, THENI DISTRICT.

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

+2 CC to M/s.DR.K.MALATHI, Advocate (SR-14598 & 14599[I] dated 04/10/2023)

ORDER IN

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Date :04/10/2023

SA/SAR. /04.10.2023/4P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.