



CrI.O.P.No.9199 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.9199 of 2024

Balan

...Petitioner/A4

Vs.

State represented by
The Inspector of Police,
DCB, Tiruppur District.
(Crime No.2 of 2024).
...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.2 of 2024 on the file
of the respondent police.

For Petitioner : Mr.T.Ganesan
For Intervener : Mr.Deepan Uday
For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (CrI. Side)



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ORDER

The petitioner / A4, who was arrested and remanded to judicial custody on 13.01.2024 for the offences punishable under Sections 120(b), 409 and 420 IPC in Crime No.2 of 2024 on the file of the respondent, seeks bail.

2.It is stated that A1 to A3 had placed orders for textiles with the defacto complainant and many other victims for a total amount of Rs.3,95,99,994/-. They defaulted in payment.

3.The learned counsel for the petitioner stated that this petitioner / A4 was not directly involved in the offences and had only introduced A1 to A3 to the defacto complainant and they had only placed orders for textiles to the defacto complainant. It is further stated that the petitioner had only received commission. Hence, he prays for grant of bail to the petitioner.

4.The learned counsel for the intervenor is also present and he stated that the amount involved is nearly about Rs.4/- Crores.



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5.The learned Government Advocate (CrI. Side) stated that A1 to A3 are still in custody.

6.The earlier petition seeking bail was dismissed on 14.03.2024 in CrI.O.P.No.2747 of 2024. From that date, the significant change in circumstance is that A1 and A2 had been granted bail by the lower Court. There was also a condition imposed by the lower Court that the accused for whom orders had been passed granting bail should deposit title deeds of properties worth atleast Rs.20/- Lakhs.

7.Taking into consideration the fact that the co-accused had been granted bail and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner. But however, **directing the petitioner to deposit title deeds of properties not less than Rs.10/- Lakhs. The title deeds should be tested by the learned Judicial Magistrate – II, Tiruppur, at the time of execution of bond.**

8.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



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of the learned Judicial Magistrate – II, Tiruppur, 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 report before the respondent police daily at 10.30 a.m., until further orders.

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

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

[e] 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 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].

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

13.06.2024

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To

1. The Judicial Magistrate – II, Tiruppur.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
DCB, Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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