



Crl.O.P.No.11248 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11248 of 2024

Bhavinanth

...petitioner

Vs.

State represented by
The Station House Officer,
Veppur Police Station,
Cuddalore District.
(Crime No.129 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.129 of 2024 on the file of the respondent Police.

For petitioner : Mr.G.Saravanabhavan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.04.2024 for the offences registered by the respondent Police



Crl.O.P.No.11248 of 2024

punishable under Sections 417, 376, 294(b) and 506(ii) of IPC, in Crime No.129 of 2024 on the file of the respondent, seeks bail.

2.It is stated that the petitioner on a false promise of marrying the defacto complainant, got a sum of Rs.20,000/- from her and cheated her. Hence this complaint.

3.It is stated by the learned Government Advocate (crl.side) that the petitioner is arrayed as A1. The mother of the petitioner is arrayed as A2 and she has been granted with Anticipatory Bail by this Court in Crl.O.P.No.10598 of 2024. He further stated that 164 statement has also been recorded.

4.The learned counsel for the petitioner stated that the petitioner is an innocent person and the petitioner and the defacto complainant are having love affair with each other. The petitioner had not cheated the defacto complainant and he promised her that after getting a job, he will marry her.

5.Taking the period of incarceration into consideration and also the fact that A2 has already been granted with Anticipatory Bail by this Court, this Court is inclined to grant bail to the petitioner subject to the



CrI.O.P.No.11248 of 2024

following conditions:

6. 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 of the learned Judicial Magistrate No.I, Viruthachalam 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, on alternative days 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



CrI.O.P.No.11248 of 2024

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.

08.05.2024

gsk

To

- 1.The Judicial Magistrate No.I, Viruthachalam.
2. The Central Prison, Cuddalore.
3. The Station House Officer,
Veppur Police Station,
Cuddalore District.
- 4.The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.11248 of 2024

K. KUMARESH BABU. J.

gsk

Crl.O.P.No.11248 of 2024

08.05.2024