



Crl.O.P.No.29029 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29029 of 2024

T.Murugan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Central Crime Branch – I,
Vepery, Chennai.
(Crime No.176 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.176 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.V.Vadivalagia Nambi

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.176 of 2024 registered for the offences punishable under Sections 294(b), 447, 189, 353, 387, 307 and 506(ii) of IPC and Section 66D of IT Act is on board for consideration.



Crl.O.P.No.29029 of 2024

WEB COPY

2. The incarceration of the petitioner being from 06.11.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offence. He further submits that the co-accused/A3 & A4 have been enlarged on anticipatory bail by this Court in Crl.O.P.Nos.28353 & 28396 of 2024 dated 20.11.2024 and the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the de facto complainant, who is working as a Sub-Registrar, Guduvanchery, had lodged a complaint stating that the first accused, who claims himself to be a Journalist, contacted the de facto complainant, abused him and by threatening him with false allegations, compelled him to register a document, which could not be registered legally. When the same was denied by the de facto complainant, the first accused, by sending his henchmen to collect Rs.5 lakhs from him, threatened him with dire consequences. Further, the accused had posted



Crl.O.P.No.29029 of 2024

some abusive and defamatory material against the de facto complainant in social media. He further submits that there was money transaction between the petitioner/A2 and the first accused and there is no previous case against the petitioner.

4. At this juncture, the learned counsel for the petitioner submits that it is true that the petitioner/A2 had transferred money from his account to A1, whereas, the amount was sent by him only as hand loan, which was sought by A1. He further submitted that the satisfaction court has been inadvertently mentioned as XVIII Metropolitan Magistrate, Saidapet instead of Chief Metropolitan Magistrate, Egmore. Hence, he prayed for amendment of the same.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also considering that the co-accused have been enlarged on anticipatory bail by this court, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned



CrI.O.P.No.29029 of 2024

Chief Metropolitan Magistrate, Egmore, 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, everyday 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 269 of B.N.S.

26.11.2024

ham



Crl.O.P.No.29029 of 2024

WEB COPY

To

1. The Chief Metropolitan Magistrate,
Egmore.
2. The Inspector of Police,
Central Crime Branch – I,
Vepery, Chennai.
3. The Superintendent,
Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.29029 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.29029 of 2024

26.11.2024