



Crl.O.P.No.30189 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

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

Crl.O.P.No.30189 of 2024

Maheswaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CBCID Police Station,
Nagapattinam.

(Crime No.2 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 the Crime No.2 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Ananthasekar

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

ORDER

Petition seeking bail in respect of Crime No.2 of 2024 registered for the offences punishable under Sections 120(b), 368, 371, 374, 420 of IPC and



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Sections 10 & 24 of Immigration Act, is on board for consideration.

2. The incarceration of the petitioner/A3 being from 24.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner was arrested only based on the confession statement recorded from the first and the second accused, who were once working under the petitioner in his Global Agency, Theni. He further submits that the petitioner is no way connected with the man power agency M/s.Global Services Agency, Periyakulam run by the first and second accused. He also submits that even the name of the petitioner does not find place in the First Information Report and he has nothing to do with the alleged offence. He further submits that 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 accused had induced the de facto complainant and several other persons, in the guise of arranging jobs in abroad, obtained a sum of Rs.1,22,000/- and deputed them for the post of Data Entry Operator in Combodia and forced them to do scamming work. He further submits that the major part of the



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investigation is over and there is no previous case against the petitioner.

4. 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 including the counter filed by the respondent, and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner 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 **Chief Judicial Magistrate, Nagapattinam**, 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



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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.

04.12.2024

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To

1. The Chief Judicial Magistrate,
Nagapattinam.
2. The Inspector of Police,
CBCID Police Station,
Nagapattinam.
3. The Superintendent,
District Prison,
Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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