



WEB COPY



Crl.O.P.No.31181 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

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

Crl.O.P.No.31181 of 2024

Durairaj

... Petitioner

Vs.

State Rep. by
Inspector of Police
CBCID South District
Thiruvarur Police Station
(Crime No.1 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.1
of 2023 on the file of the respondent Police, pending investigation.

For Petitioner : Mr.Swamisubramanian

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

ORDER

Petition seeking bail in respect of Crime No.1 of 2023 registered for
the offences punishable under Sections 120(B), 419, 468, 471, 420 and 506(i) of
IPC is on board for consideration.

2.The incarceration of the petitioner being from 21.11.2024 pleading



Cr1.O.P.No.31181 of 2024

innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner has been falsely implicated in this case based on a confession statement recorded from another accused and even as per the prosecution the petitioner is only a broker. He also submits that the petitioner is no way connected with the alleged offences and he 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 petitioner, through impersonation and document fabrication, executed a false sale deed and unlawfully seized the property belonging to the de facto complainant.

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 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



Crl.O.P.No.31181 of 2024

Chief Judicial Magistrate, Thiruvavarur, 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., for a period of two weeks and thereafter, every Saturday 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.

20.12.2024

sai



WEB COPY



Crl.O.P.No.31181 of 2024

A.D.JAGADISH CHANDIRA., J.

sai

To

1.The Chief Judicial Magistrate, Thiruvarur

2.The Inspector of Police
CBCID South District
Thiruvarur Police Station.

3.The Superintendent,
District Prison, Nagapattinam.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31181 of 2024

20.12.2024