



Crl.O.P.No.31740 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

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

Crl.O.P.No.31740 of 2024

1.Santhakumar

2.Saravanakumar

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
CBCID Police Station,
Nagapattinam District.
(Crime No.2 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with the Crime No.2 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.A.Jayaramachandran

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 IPC r/w Sections 10 and 24 of Immigration Act, is on board for consideration.



Crl.O.P.No.31740 of 2024

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2. The incarceration of the petitioner/A2 & A3 being from 24.10.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioners seek indulgence of this Court. He also submits that A1 is the main accused and the petitioners were once working under him in his Global Agency, Theni. He further submits that the petitioners are no way connected with the man power agency M/s.Global Services Agency, Periyakulam run by A1. Therefore, the petitioners have nothing to do with the alleged offence. He further submits that A1 has already been released on bail in Crl.O.P.No.30189 of 2024 on 04.12.2024, and that the petitioners are 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 investigation is over.



Crl.O.P.No.31740 of 2024

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4. Having heard the learned counsel for the petitioners 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 petitioners, this Court is inclined to grant bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail on their executing separate 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 petitioners shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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



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CrI.O.P.No.31740 of 2024

A.D.JAGADISH CHANDIRA.,J.

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action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

19.12.2024

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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.

CrI.O.P.No.31740 of 2024