



CRL OP(MD). No.933 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1Paramasivam

2.Subbulakshmi @ Sutha @ Megarbanu

... Petitioners/ Accused No.1&2

Vs

The State represented by its
The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
Crime No.366 of 2023.

... Respondent/ Complainant

For Petitioners : Mr.Senthil KumariahAdvocate,
for Mr.S.Sathyachidambaram, Advocate
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For bail in Crime No.366 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners / A1 & A2, who were arrested and remanded to judicial custody on 30.11.2023 for the offences under Sections 417, 420, 467, 473 and 484 of IPC, in Crime No.366 of 2023 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that defacto complainant is the Head Clerk of the learned Judicial Magistrate of Cheranmahadevi. On 30.11.2023, the petitioners furnished sureties for the accused. After perusal of document, it was found that the tax receipts produced by the sureties are fake one. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the entire surety arrangements was made by A3 and there is no intention to cheat. Further, the petitioners are in judicial custody from 30.11.2023. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would

submit that the petitioners furnished sureties with a fake tax receipts for the accused

<https://www.mhc.tn.gov.in/judis>



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in Crime No.214 of 2023 before the learned Judicial Magistrate, Cheranmahadevi.

Hence, he vehemently, opposed to grant bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate of Cheranmahadevi, 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 are directed to appear before the respondent police daily at 10.30 a.m, until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;



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(d) the petitioners shall not abscond 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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/01/2024

/ TRUE COPY /

22/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

- 1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



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- 3 THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to A.BALAJ+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-872[I]
dated 22/01/2024)

ORDER
IN
CRL OP(MD) No.933 of 2024
Date :22/01/2024

PKP/22.01.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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