



CRL OP(MD). No.7711 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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Babu,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Sendhamaram Police Station,
Tenkasi District.
Crime No.150 of 2024.

... Respondent/ Complainant

For Petitioner :Mr.T.INDRACHITHU,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.150 of 2024 on the file of the Respondent Police
ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 27.04.2024 for the offences punishable under Sections 406, 408, 420, 506(i) and 109 I.P.C, in crime No.150 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused collected

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



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debt money for a sum of Rs.25,79,454/- from 14 customers, who borrowed petrol and diesel, and cheated the defacto complainant, who is the owner of the petrol bulk.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 27.04.2024, hence he may be released on bail. To show his bonafide, he has to deposit some amount to Crime Number.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

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 petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi;

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall appear before the trial Court as and when required for



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interrogation; the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Crime No.150 of 2024, on the file of the Judicial Magistrate, Tenkasi, without prejudice to his contentions and rights before the trial Court.

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

sd/-
05/07/2024

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05/07/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE JUDICIAL MAGISTRATE,
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
SUB JAIL, TENKASI.



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4 THE INSPECTOR OF POLICE,
SENDHAMARAM POLICE STATION, TENKASI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-7475[I] dated 05/07/2024)
+1 CC to M/s.D.VENKATESH, Advocate (SR-7613[I] dated 08/07/2024)

ORDER IN
CRL OP(MD) No.7711 of 2024
Date :05/07/2024

SA/SAR. /05.07.2024/4P/8C
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