



CRL OP(MD).No.7936 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29.05.2024

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CRL OP(MD).No.7936 of 2024

Pandiyarajan

... Petitioner/ Accused No.5

versus

State Rep. by its
Inspector of Police,
Economic Offences Wing,
Madurai.
(Crime No.02 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.P.Senguttuarasan, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Crl. side)

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

PRAYER :-

For Bail in Crime No.02 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on
10.05.2024 for the offences under Sections 406, 420, 120(b) IPC and Section 5 of



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TNPID Act, in Crime No.2 of 2023 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner along with others was running a Company in the name of Champion Cards Private Ltd. and canvassed the defacto complainant. She had also deposited a sum of Rs.10,00,000/-, but, they failed to refund the said amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 10.05.2024. He further submits that the defacto complainant was also one of Partners of the Company, but, she has given a false complaint against the petitioner and others with an intention to grab money from them. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) opposed for grant of bail on the ground that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, this court is inclined to grant bail to the petitioner with certain conditins.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on his 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



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of learned Special Judge, Special Court under TNPID Act Cases, Madurai, 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 appear before the respondent Police daily at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation by the respondent Police.

[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 is 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/05/2024

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29/05/2024
Sub-Assistant Registrar (Vigilance)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

1.The Special Judge,
Special Court under TNPID Act Cases,
Madurai.

2.The Inspector of Police,
Economic Offences Wing,
Madurai.

3.The Superintendent,
Central Prison, Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.SENGUTTULARASAN, Advocate (SR-5899[I] dated 29/05/2024)

ORDER
IN
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Date :29/05/2024



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ED/123/SAR- (29/05/2024) 5P / 6C

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