



CRL OP(MD). No.8564 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8564 of 2024

Kalyana Sundaram

... Petitioner/ Accused No.4

Vs

The Inspector of Police,  
Seethaparpanallur Police Station,  
Tirunelveli District.

Crime No.115 of 2024

... Respondent/Complainant

For Petitioner : M/s.C.Venkatesh, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.115 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.115 of 2024 for the offence under Section 397 of IPC and remanded him into judicial custody on 23.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the deacto complainant wanted to buy a car, for which, he contacted his friend and through him, he got in touch with A1 and

A1 has proposed him an Baleno car. A1 asked the defacto complainant to come to



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Manomaniam University, Pettai. A1 along with other accused persons came there in a Bolero car, took the defacto complainant along with his friend one Muthu, to a secluded place and forcibly made him to pay a sum of Rs.1,40,000/- through G-pay and has also taken away his two-wheeler. Hence, the case.

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. He further submits that the defacto complainant has borrowed a sum of Rs.2,00,000/- from A1, for which, he pledged his Maruti Suzuki Swift Car as security and the defacto complainant has failed to repay the said amount. In order to evade the payment, he lodged this false complaint. He further submits that the similarly placed accused has already been arrested and released on bail by this Court in Crl.O.P.(MD)No.8135 of 2024, dated 05.06.2024. Therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is pending. However, he fairly conceded that no one has been injured in this case.

5. Considering the nature of offence, the period of incarceration and also considering the fact that no one has been injured in the alleged occurrence, this Court is inclined to grant bail to the petitioner with certain conditions.



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

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Alangulam.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-  
12/06/2024

/ TRUE COPY /

12/06/2024

Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

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



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TO செய்து அளித்தல்

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1 THE JUDICIAL MAGISTRATE, ALANGULAM.

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

3 THE OFFICER INCHARGE, SUB JAIL, TENKASI.

4 THE INSPECTOR OF POLICE, SEETHAPARPANALLUR POLICE STATION,  
TIRUNELVELI DISTRICT.

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

ORDER

IN

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Date :12/06/2024

RS//SAR-(12.06.2024) 4P 6C

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