



CRL OP(MD). No.8894 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Balamurugan

2. Manikandan, ... Petitioners/ Accused No.1 & Accused rank not known

Vs

The Inspector of Police,
Puliangudi Police Station,
Puliangudi,
Tenkasi District.
Cr.No.204 of 2024.

... Respondent/Complainant

For Petitioners : M/s.Pragalathan.N,
Advocate.

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

PRAYER :-For Bail in Crime No.204 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The respondent police registered a case as against these petitioners in Crime No.204 of 2024 for the offence under Section 406 I.P.C and remanded them into



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judicial custody on 17.05.2024. Therefore, the petitioners have filed this petition seeking bail.

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2. The case of the prosecution is that the defacto complainant mortgaged his vehicle to the first petitioner and borrowed a sum of Rs.50,000/-. Thereafter, the accused persons have dismantled the vehicle.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they are in no way connected in this case. However, the petitioners were arrested and they are languishing in jail from 17.05.2024.

4. The learned Government Advocate (Crl.side) appearing for the respondent opposed this petition on the ground that the investigation is pending. He further submitted that the second petitioner is having 15 previous cases.

5. Considering the antecedents of the second petitioner, this Court is not inclined to grant bail to the second petitioner. Hence, this Petition is dismissed insofar as the second petitioner is concerned.



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6. The learned counsel for the petitioners submits that first petitioner is a Financier and he has not committed any offence, In order to show his *bonafide*, he is ready to deposit a sum of Rs.30,000/-.

7. Considering the facts and circumstances of the case and also the undertaking given by the first petitioner, the period of incarceration, this Court is inclined to grant bail to the first petitioner.

8. Accordingly, this Criminal Original Petition is partly allowed and the first petitioner alone is ordered to be released on bail on certain conditions:

i) on the first 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, Sivagiri, Tenkasi District.

ii) the first petitioner shall deposit of Rs.30,000/-(Rupees Thirty Thousand only) to the credit of Crime No.204 of 2024 before the learned Judicial Magistrate, Sivagiri, Tenkasi District, without prejudice to his contentions and rights before the trial Court and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

(iii) The first petitioner and the sureties shall submit a copy of their Aadhaar



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Card or any other identity card issued by the Government in proof of their residence address;

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iv) The first petitioner shall appear before the respondent police daily at 10.30

a.m. Until further orders. He has to co-operate for the investigation.

v) The first 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.

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

sd/-

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24/06/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

LS

TO

1 THE JUDICIAL MAGISTRATE
SIVAGIRI, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.



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3 THE INSPECTOR OF POLICE
PULLANGUDI POLICE STATION,
PULLANGUDI,
TENKASI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-6869[I] dated 24/06/2024)

ORDER
IN
CRL OP(MD) No.8894 of 2024
Date :24/06/2024

SS/SAR- /24/06/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023