



CRL OP(MD).No.9769 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 B.PUGALENDHI

CRL OP(MD).No.9769 of 2024

Subramanian

... Petitioner/ Accused 2

Versus

State Rep. by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Cr.No.155 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.J.MOHAMED IBRAHIM, 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.155 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.155 of 2021 for the offence under Sections 406, 419, 420, 323 and 506(ii) of IPC and remanded him into judicial custody on 10.5.2024. Therefore, the petitioner has filed this petition seeking bail.

<https://www.mhctn.gov.in/judis>



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2. The case of the prosecution is that the defacto complainant is an agent of fireworks. On 05.06.2024 at about 10.30 a.m., the accused persons, by pretending that they are the income tax officers, informed the defacto complainant that he had not paid the income tax and also demanded him to pay a sum of Rs.50,00,000/- and received a sum of Rs.10,00,000/- from his younger brother. Hence, the complaint.

3. The learned Counsel for the petitioner submits that the co-accused in this case has already been granted bail. Further, he submits that A-1 has repaid a sum of Rs.6,80,000/-, A-2 has repaid a sum of Rs.2,50,000/- and A-3 has repaid a sum of Rs.50,000/- to the defacto complainant.

4. The Additional Public Prosecutor submits that the petitioner had withdrawn the earlier application filed before the Judicial Magistrate No.I, Sivakasi. Further, he submits that the amount to the tune of Rs.9,80,000/- had been recovered from the accused persons.

5. Considering the facts and circumstances of the case, the period of incarceration and the repayment of the money, this Court is inclined to grant bail to the petitioner with certain conditions.

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/-



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(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District.

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 her 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/-
05/07/2024

/ TRUE COPY /

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



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JBR

TO

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1 THE JUDICIAL MAGISTRATE NO.I,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
SIVAKASI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.J.MOHAMED IBRAHIM, Advocate (SR-7469[I] dated 05/07/2024)

ORDER IN

CRL OP(MD) No.9769 of 2024

Date :05/07/2024

SA/SAR. /05.07.2024/4P/7C

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