



CRL OP(MD). No.10097 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

CRL OP(MD). No.10097 of 2024

Parasuraman

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No.137/2023.

... Respondent/Complainant

For Petitioner : Mr.M.Pandian, Advocate.

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

PRAYER :- For Bail in Crime No. 137/2023 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 13.03.2023 for the offences punishable under Section 420 I.P.C, in Crime No.137 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused said to have pledged three spurious jewels and received a sum of Rs.7,13,100/- by producing fake aadhar card and phone numbers.



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3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in custody from 13.03.2023. Hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would strongly oppose this petition on the ground that the petitioner is having four previous cases and the investigation is pending. He further submits that totally three accused and the petitioner is arrayed as A1 and co-accused was already released on bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and that co-accused was already released on bail, this Court is inclined to grant bail to the petitioner subject to the following 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 Judicial Magistrate No.I, Kumbakonam.

(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;



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(ii) the petitioner shall report before the Inspector of Police, Karaikudi Police Station, Karaikudi, daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation; He has to appear before the trial Court on every hearing, without fail;

(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 petitioners 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].

(vi) If the accused thereafter abscond, a fresh FIR can be registration under Section 229A IPC.

sd/-
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09/07/2024

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

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TO

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1 THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, KUMBAKONAM.

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

COPY TO

THE INSPECTOR OF POLICE
KARAIKUDI POLICE STATION, KARAIKUDI.

ORDER

IN

CRL OP(MD) No.10097 of 2024

Date :09/07/2024

RS//SAR-(09.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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