



CRL OP(MD). No.10070 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

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

CRL OP(MD). No.10070 of 2024

Rajkumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Aravakurichi Police Station,
Karur District,
(Crime No.266/2024.)

... Respondent/Complainant

For Petitioner : M/s.Sudalaiyandi K, Advocate.

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

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

PRAYER :-

For Bail in Crime no.266/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 03.06.2024 for the offences punishable under Sections 417, 419 and 420 IPC in crime No.266 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant has cheated the defacto complainant by way of collecting money from him stating that he is running a chit fund in the name and style of MRV Chits and Finance Company Ltd., Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 03.06.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that valid permission petitioner is running a chit fund and also collected money from various persons and cheated them and he is not having any previous case. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain



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conditions.

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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 learned District Munsif – cum - Judicial Magistrate, Aravakurichi, Karur District and on further conditions that;

(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;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(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 petitioner 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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vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/07/2024

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08/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

- 1.The District Munsif cum Judicial Magistrate,
Aravakurichi,
Karur District.
- 2.Do through the Chief Judicial Magistrate,
Karur District.
- 3.The Inspector of Police,
Aravakurichi Police Station,
Karur District.
- 4.The Officer Incharge,
Sub Jail,
Karur.
- 5.The Additional Public Prosecutor,
Madurai Bench o Madras High Court, Madurai.

+1 CC to M/s.K.SUDALAIYANDI, Advocate (SR-7585[I] dated 08/07/2024)



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ORDER

IN

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Date :08/07/2024

ED/ /SAR- (08/07/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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