



CRL OP(MD)No.11054 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.07.2024

PRESENT

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

CRL OP(MD)No.11054 of 2024

Jahir Hussain @ Jahir Thalha

... Petitioner / Accused No.3

Vs

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

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate(Crl.side)

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr No.204 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.05.2024 for the offence punishable under Section 406 IPC in Cr.No.204 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs.50,000/- by pledging his vehicle from one Balamurugan. When the defacto complainant returned the amount, the accused failed to return the vehicle. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 23.05.2024, hence he may be released on bail.

4.The learned Government Advocate(Crl.side) would submit that the investigation is yet to be completed.



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5.Considering the facts and circumstances of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner on certain 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 learned Additional District Munsif cum Judicial Magistrate, Sivagiri.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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.



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[v] On breach of any of the aforesaid conditions, the learned Judicial 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].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

- 1.The Additional District Munsif
cum Judicial Magistrate,
Sivagiri.
2. The Chief Judicial Magistrate, Tirunelveli.
- 3.The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli.
- 4.The Inspector of Police,
Puliyangudi Police Station, Tenkasi District.

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



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5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

A.A.NAKKIRAN,J
gns

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22.07.2024

KB(22.07.2024) 5P/ C

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