



CRL OP(MD). No.11579 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11579 of 2024

1.Suresh Karuppaiya

2.Kokila

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
Central Crime Branch (CCB)
Madurai City.
Crime No.19/2023.

... Respondent/ Complainant

For Petitioners : Mr.S.Sundarapandian
Advocate.

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

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

PRAYER :- For Bail in Crime No.19 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody



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on 18.07.2024 for the offences punishable under Sections 120(B), 406, 420 I.P.C and Sections 3 and 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 and Sections 4, 5(a) and 6 of Prize Chit and Money CIR Schemes (Banning) Act, 1978, in crime No.19 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that they had run Deepawali Fund from year 01.01.2023 onwards for a period of 15 months and failed to refund the same. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been false implicated in this case. He would further submit that the petitioners are in judicial custody from 18.07.2024, hence, he may be granted bail.

4. The learned Additional Public Prosecutor would submit that totally 13 witnesses were examined and the investigation of the case is almost completed and hence, strongly opposed to grant bail to the petitioners.



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5. Considering the facts and circumstances of the case and also considering the period of incarceration and 13 witnesses have already been completed, this Court is inclined to grant bail to the petitioners on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Special Court for TANPID Act Cases, Madurai 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 petitioners shall appear before the respondent police daily at 10.30 am until further orders;

(iii) the petitioners shall not tamper with evidence or witness;

(iv) the petitioners shall not abscond during trial.



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v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

1. The Judge, Special Court for TANPID Act Cases, Madurai
2. The Inspector of Police,
Central Crime Branch (CCB), Madurai City.
- 3 The Superintendent,
Central Prison, Madurai.



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

+1 CC to M/s.S.SUNDARAPANDIAN, Advocate (SR-8574[I] dated 25/07/2024)

ORDER
IN
CRL OP(MD) No.11579 of 2024
Date :25/07/2024

RK/ (26/07/2024) 5P / 6C

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