



CRL OP(MD). No.11957 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

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1. Sahaya Arokiya Doss,

2. Kanagarajan,

3. Pandiyan,

... Petitioners/ Accused 1,6,7

Vs

The Inspector of Police,
Jeeyapuram Police Station,
Trichirapali.

Crime No.187/2024.

... Respondent/ Complainant

For Petitioners : Mr.A.Azhageson,
Advocate.

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

PETITION FOR BAIL Under Se.483 of BNSS

PRAYER :- For Bail in Crime no.187 of 2024 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 06.07.2024 for the offences punishable under Sections 316(2), 318(2), 319(2) and 318 (4) of BNS, 2023, in crime No.187 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners and other accused stated that they were working in private banks and they are selling gold pieces in lower price and also arraign bank loans on commission basis. Believing the words of the accused, the defacto complainant asked them to arrange loan to the tune of Rupees Ten Lakhs and thereafter, A1 asked Rs.50,000/- as commission and gave a duplicate golden piece to the defacto complainant and received a sum of Rs.5,000/- from him and thereby cheated by the petitioners. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 06.07.2024, hence, they may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioners are having two previous cases. He would further submit that the investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the



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period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

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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 learned Judicial Magistrate No.III, Tiruchirapalli, 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 report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

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

(iv) the petitioners 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 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].



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

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sd/-
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30/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

4 THE INSPECTOR OF POLICE,
JEEYAPURAM POLICE STATION,
TRICHIRAPALI.

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

MADURAI

<https://www.mmc.tn.gov.in/judis>



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ORDER
IN
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Date :29/07/2024

SA/SAR. /30.07.2024/5P/6C

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