



CRL OP(MD)No.11958 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

CRL OP(MD)No.11958 of 2024

S.Kannan

... Petitioner/ Accused No.3

Vs

The Sub Inspector of Police,
Koodalpudhur Police Station,
Madurai City.
(Crime No.236 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.Muthusamy, 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 Cr No.236 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.06.2024
for the offence punishable under Sections 406, 465, 468, 471 IPC and Section 12(1)(b)



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of the Passport Act, 1967 in Cr. No.236 of 2024 on the file of the respondent police,
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seeks bail.

2.The case of the prosecution is that the defacto complainant is the daughter-in-law of the petitioner and the accused persons created fabricated documents and applied for passport for the second accused. 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 27.06.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that nine witnesses have been examined.

5.Considering the period of incarceration and also considering the fact that nine witnesses have been examined, this Court is inclined to grant bail to the petitioner on certain 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 Judicial Magistrate No.IV, Madurai.

[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 on every Saturday at 10.00 am., until further orders;

[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 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



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released on bail by the learned Magistrate/Trial Court himself as laid down by the

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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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29/07/2024

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

GNS

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE SUB INSPECTOR OF POLICE
KODALPUTHUR POLICE STATION, MADURAI CITY.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.P.MUTHUSAMY, Advocate (SR-8798[I] dated 29/07/2024)

ORDER
IN
CRL OP(MD) No.11958 of 2024
Date :29/07/2024

SS/SAR- /29/07/2024/5P/7C

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