



CRL OP(MD). No.12262 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

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Shankar,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Woraiyur Police Station,
Trichy District.
Crime No. 1706/2023.

... Respondent/Complainant

For Petitioner : Mr.B. Sargunam,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 1706 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on

17.07.2024 for the offences punishable under Sections 147, 294(b), 427, 379, 506(i) &
<https://www.mhc.tn.gov.in/judis>



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420 of IPC, in crime No.1706 of 2023 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that at the instigation of the petitioner, the defacto complainant invested the amount of Rs.22,00,000/- in the accused's Finance Company namely, Carla Investments and Finance. Thereafter, the said amount was demanded by the defacto complainant, they gave a Car bearing Reg.No.TN 45 CC 8386 for a sum of Rs.7,00,000/- and for the balance amount of Rs.15,00,00, they issued a cheque. When one Padmanabhan took that car from the defacto complainant, on the way, the accused persons waylaid him and threatened him to give the car. On hearing the same through phone, the defacto complainant went to the spot and questioned the same. Thereby, they abused the defacto complainant in filthy language and threatened him with dire consequences and also snatched the bag from the said Padmanabhjan and took a sum of Rs.10,000/- from the bag. 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 mentioned in the FIR. He would further submit that the co-accused were already released on bail by the District Court, Trichy and the petitioner is in judicial custody from 17.07.2024 and hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation



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is in preliminary stage. But, however, he fairly conceded that the co-accused were already released on bail by the District Court, Trichy.

5.Considering the period of incarceration and also considering the fact that the co-accused were already released on bail, 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 Judicial Magistrate No.4, Trichy.

(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 weekly once i.e., every Saturday at 10.30 a.m., 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 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



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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 abscond, a fresh FIR can be registered under Section
229A IPC.

sd/-
31/07/2024

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01/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.4,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

4 THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TRICHY DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.12262 of 2024
Date :31/07/2024

SA/SAR. /01.08.2024/5P/6C

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