



CRL OP(MD). No.12391 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12391 of 2024

Mohideen Raja @ Maideen Raja,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thallakulam Police Station,
Madurai City
Crime No. 790 of 2024).

... Respondent/Complainant

AFFRIN BANU

... Petitioner/Intervener
(Defacto complainant)
in CRL MP(MD)No.2991 of 2024
in Crl OP(MD)No.12391 of 2024

For Petitioner : M/s. Jegadeesh Pandian.M.,
Advocate.

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

For Intervenor : M/s.M.Keerthi Prasanna, Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 790 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 26.07.2024 for the offences punishable under Sections 406, 420, 294(b), 354B and 506(i) I.P.C., in crime No. 790 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner borrowed a sum of Rupees Two Crore and Sixty One Lakhs from the father of the defacto complainant and after the death of her father, the petitioner cheated the defacto complainant and abused her in filthy language.

3. Heard the learned counsel on either side and perused the material records of the case.

4.Considering the overall facts and circumstances of the case and considering the nature of allegations, which are made and the submissions made on behalf of the learned counsel for the petitioner as well as the learned counsel for the defacto complainant opposing the grant of bail and that the petitioner was arrested on 26.07.2024, I am inclined to enlarge the petitioner on bail.



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5. 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.II, Madurai.

(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 daily at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 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

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229-A IPC.

sd/-
08/08/2024

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08/08/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
 - 3 THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION, MADURAI CITY
 - 4 THE OFFICER INCHARGE,
SUB JAIL, MELUR, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-9694[I] dated
08/08/2024)



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ORDER
IN
CRL OP(MD) No.12391 of 2024
Date :08/08/2024

SS/SAR- /08/08/2024/5P/7C

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