



CRL OP(MD). No.12401 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

CRL OP(MD). No.12401 of 2024

Sunder

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(Crime No. 427 of 2024)

... Respondent/Complainant

For Petitioner : M/s.S.Palani Velayutham, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For Bail in Crime No. 427 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody for the offences punishable under Sections 294(b), 506(2), 406 and 420 IPC in crime No.427 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on promising to get a job in the

Collectorate, the petitioner herein has received a sum of Rs.2,25,000/- from the

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



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defacto complainant and thereby, cheated him. Hence, the complaint.

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3.The learned counsel for the petitioner would submit that the petitioner has already paid a sum of Rs.50,000/- to the defacto complainant and he is ready to settle the balance amount, if he is released on bail and he seeks bail.

4.The learned Additional Public Prosecutor would submit that investigation of the case is pending and hence, he opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and that petitioner is ready settle the amount and also considering the period of incarceration , 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.I, Nagercoil, Kanniyakumari District.

(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 a.m., until further orders;

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



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(iv) the petitioner 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 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].

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

sd/-
01/08/2024

/ TRUE COPY /

02/08/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp
TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL KANNIYAKUMARI DISTRICT

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE, DISTRICT JAIL, NAGERCOIL,
KANYAKUMARI DISTRICT.

4 THE INSPECTOR OF POLICE, KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.



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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-9237[I] dated 01/08/2024)
ORDER
IN
CRL OP(MD) No.12401 of 2024
Date :01/08/2024

RS/JGB/SAR-(02.08.2024) 4P 7C
Madurai Bench of Madras High Court is issuing
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