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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13945 of 2024

CM.Ragavan,

... Petitioners/ Accused No.2

Vs

The Inspector of Police,
District Crime Branch,
Tenkasi District.
Crime No.07 of 2023.

... Respondent/Complainant

For Petitioner : M/s. Sankar.M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.07 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

27.07.2024 for the offences punishable under Sections 294(b), 420 and 506(ii) of IPC,

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

in Crime No.7 of 2023 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the defacto complainant was cheated to the tune of Rs.6,00,000/- by the petitioner on the pretext of getting appointment in the Co-operative Department. But, he failed to do the same and refused to return the money. When the same was demanded by the defacto complainant, the petitioner and other accused are said to have abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of allegations that the defacto complainant was greedy enough to think that he could contact somebody and get a government employment and that the greed was encashed by the present accused by getting Rs.6,00,000/- from him and also considering the argument of the learned counsel for the petitioner that without prejudice to his contentions in the case, to show his bona fide, he is willing to deposit a sum of Rupees Rs.3,00,000/- to the credit of the crime number, this Court is inclined to grant bail to the petitioner on certain conditions.

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

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

Judicial Magistrate No.I, Tirunelveli 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 petitioners shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.7 of 2023, before the Judicial Magistrate concerned before the execution of sureties, without prejudice to his defence before the Trial Court.

(iii) the petitioner 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;

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

v) the petitioner shall not abscond during trial.

vi) 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].



vii) If the accused thereafter abscond, a fresh FIR can be registered under

Section 229A IPC.

sd/-
23/08/2024

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI..
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TENKASI DISTRICT.



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

+1 cc to MR.M.SANKAR, Advocate SR No.10383 dated 27/08/2024

ORDER
IN
CRL OP(MD) No.13945 of 2024
Date :23/08/2024

MGJ(23.08.2024) 5P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023