



CRL OP(MD). No.14869 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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M.Rajkumar

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanniyakumari District.
Crime No.7 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.R.Sreenivasan, Advocate.

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

PETITION FOR BAIL UNDER SEC 483 of BNSS

PRAYER :-

For bail in Crime No.7 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 on 11.08.2024 for the offences punishable under Sections 120(b), 406 and 420 of IPC, in crime No.7 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A6 and A7 by forming an agency called



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Saral Agency formulated a noval Scheme to seek the youth, who are seeking for an employment. They held out as if the Central Government has a scheme to conduct cow census and as a matter of fact, by giving an appointment order, they also made them to go to the villages and to take cow census. They continued this like a multi level marketing, got more money from the new victims and they also paid salaries to the other victims. The petitioner herein is the A-1. He was the initial victim to the main accused and having paid the money, he was made as a District Co-ordinator and through him only money is collected from the other victims.

3.The learned Additional Public Prosecutor submitted that so far the investigation reveals that the petitioner has collected Rs.70,55,000/- from 35 persons and he has transferred a sum of Rs.66,40,000/- to A6 and A7. Further, he submitted that the petitioner has been duly crediting the amount to the prime accused only. It is the petitioner, who has set the law in motion. Even with reference to the allegations that the petitioner still has Rs.4,00,000/-,

4.Therefore, it can be seen that the petitioner is only an employee/agent. The allegation against the petitioner is that he has also lent his name and service to the prime accused. It is also seen that the petitioner is also keeping a money to the tune of Rs.4,15,000/-.

5.The learned counsel for the petitioner submitted that the petitioner to show



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his bonafide, is reading to deposit a sum of Rs.2,00,000/- to the credit of Crime No.7 of 2024.

6.Considering the facts and circumstances of the case and also considering the argument and the submission made by the learned counsel for the petitioner that to prove his bonafide, without prejudice to his contention, he will deposit a sum of Rs.2,00,000/- to the credit of the crime number, I am inclined to enlarge the petitioner on bail with certain conditions.

7.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.II, Kuzhithurai.

(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)As undertaken, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.7 of 2024 before the Judicial Magistrate No.II, Kuzhithurai, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on bail.



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(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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

jbr



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, KUZHITHURAI.

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

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, NAGERCOIL,
KANYAKUMARI DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT JAIL,
KANYAKUMARI DISTRICT AT NAGERCOIL.

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

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-11054[I] dated 09/09/2024)

ORDER

IN

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Date :09/09/2024

RS//SAR-(09.09.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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