



CRL OP(MD). No.16648 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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P.Murugan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Tevaram Police Station,
Tevaram District.
Cr.No.104/2024..

... Respondent/ Complainant

For Petitioner : M/s.Kishore Kumar.V,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.104 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 18.09.2024 for the offences punishable under Sections 406, 415, 420 and 506(i) IPC in crime No. 104 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein and other accused have received a sum of Rs.18,45,000/- from the defacto complainant by claiming that they were inducting him as a partner and subsequently, cheated him. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the argument of the petitioner counsel that in this case it is only the petitioner's son who has signed the agreement and the petitioner is only the father and he did not sign the agreement and considering the submission made by the learned counsel for the petitioner that without prejudice to the contention, the petitioner is ready and willing to deposit a sum of Rs. 2,00,000/- to the credit of the



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crime number and considering the fact that the petitioner is in prison from 18/9/2024, I am inclined to enlarge the petitioner on Bail.

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, Bodinayakanur.

(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 per the undertaking, the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.104 of 2024, before the Court concerned, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(iii) the petitioner shall appear before the respondent Police daily at 10.30 a.m



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for a period of three weeks and thereafter, as and when required for interrogation;

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(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/-
16/10/2024

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16/10/2024
Sub-Assistant Registrar (CS-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO
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1. The Judicial Magistrate, Bodinayakanur.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Officer in charge, Uthamapalayam Jail, Theni District.
4. The Inspector of Police,
Tevaram Police Station,
Tevaram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.KISHORE KUMAR, Advocate (SR-12458[I] dated 16/10/2024)

ORDER
IN

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Date :16/10/2024

RK/ (16/10/2024) 5P / 7C

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