



CRL OP(MD). No.17132 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17132 of 2024

1. Ananthakumar
2. Rahulkumar

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Thanjavur Town Police Station,
Thanjavur District.
Cr.No.379 of 2024.

... Respondent/ Complainant

For Petitioners : Mr.K.Navaneetharaja,Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For bail in Crime No.379 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody

on 30.08.2024 for the offences punishable under Sections 318(4) of BNS, 2023, in crime

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



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No.379 of 2024, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that petitioners tried to cheat the defacto complainant in the garb of cleaning the gold by using a chemical solution to dissolve the gold. Hence, the complaint.

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

4.Considering the nature of allegation in this case that the petitioners tried to cheat the defacto complainant in the garb of cleaning the gold by using a chemical solution to dissolve the gold and considering the status report filed by the respondent police that subsequently the solution has been seized and the solution is now handed over to the Court to be sent for further examination with reference to the presence of gold in the chemical solution and considering the fact that there are no other antecedents as against the petitioner and further considering the fact that the petitioners are from Bihar, I am inclined to enlarge the petitioners on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the

satisfaction of the learned Judicial Magistrate No.II, Thanjavur;



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(i) Out of two sureties, one surety shall be the local surety and another one shall be the blood surety. As far as the blood surety is concerned, solvency certificate need not be insisted upon, but, however they should produce their permanent identity such as Aadhar card etc. 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 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 and keep the Investigation Officer informed about their whereabouts. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 [(3795)AIR SCW 5560].



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(vi) If the accused thereafter absconds, a fresh FIR can be registered under

Section 229A IPC.

sd/-
17/10/2024

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17 / 10 / 2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1 THE JUDICIAL MAGISTRATE
NO.II, THANJAVUR.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THANJAVUR TOWN POLICE STATION,
THANJAVUR DISTRICT

4 THE SUPERINTENDENT
CENTRAL PRISON, THANJAVUR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.17132 of 2024
Date :17/10/2024

PSP/ /SAR /17.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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