



CRL OP(MD)No.17544 of 2024

WEB COPY

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.17544 of 2024

Mathiyalagan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
District Crime Branch,
Thanjavur District.
Crime No.4/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Micheal Heldon Kumar, Advocate.

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

For Intervenor : Mr.A.Joel Paul Antony, Advocate

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.4/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 23.09.2024 for the offence punishable under Sections 406 and 420 of IPC, in Crime No.4 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner received a sum of Rs.12,00,000/- from the defacto complainant by promising that he will arrange a seat in the RVS Agricultural College. Thereafter, the petitioner neither got the seat nor returned the money. 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 petitioner is said to have held out to the defacto complainant that he is very influential with one RVS Agricultural College and that he only arranged the land for the said college and that he will arrange for seats, stating so he is said to have got Rs.12,00,000/- from the defacto complainant and thereafter, he neither got the seat nor returned the amount and considering the argument of the learned Counsel for the petitioner that without prejudice to his contentions, in order to prove his bonafide, the petitioner will deposit a sum of Rs.5,00,000/- to the credit of Crime No.4 of 2024, I am inclined to enlarge the petitioner on bail with certain conditions.



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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 No.I, Thanjavur 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) As undertaken, the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.4 of 2024 before the Judicial Magistrate No.I, Thanjavur District, without prejudice to his rights and contentions before the trial Court within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week 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;



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(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 229A IPC.

sd/-
17/10/2024

/ TRUE COPY /

17 / 10 / 2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1 THE JUDICIAL MAGISTRATE
NO.I, THANJAVUR DISTRICT.

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

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



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3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR DISTRICT.

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

+1 CC to M/s.S.MICHEAL HELDON KUMAR, Advocate (SR-12579[I] dated
17/10/2024)

ORDER
IN
CRL OP(MD) No.17544 of 2024
Date :17/10/2024

PSP/ /SAR /17.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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