



CRL OP(MD)No.17684 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17684 of 2024

Kesavan

... Petitioner/ A-1

Vs

The Inspector of Police,
Theni Police Station,
Theni District.
Crime No.330/2024.

... Respondent/Complainant

For Petitioner : Mr.A.Joseph Jerry,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.330/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on



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15.08.2024 for the offence punishable under Sections 316(2), 318(4) of BNS Act altered into Sections 316(2), 318(4) and 180 of BNS Act comparative of Sections 406, 420 and 215 of IPC, in Crime No.330 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner is said to have deceived the defacto complainant by promising that he would change Rs.2000/- old notes and grant him cash and thereby, cheated the defacto complainant. Hence, the complaint.

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

4.Considering the nature of occurrence in this case that the petitioner is said to have deceived the defacto complainant by promising that he can change Rs.2000/- old notes and grant him cash and cheated the defacto complainant and only considering the fact that the petitioner is in judicial custody from 15.08.2024, I am inclined to enlarge the petitioner on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is



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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, Theni.

(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 petitioner shall report before the respondent police daily at 10.30 a.m.,for a period of three 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;

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

(iv)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

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18/10/2024

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

JBR

TO

1 THE JUDICIAL MAGISTRATE
THENI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE INSPECTOR OF POLICE,
THENI POLICE STATION,
THENI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.



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

+1. CC to Mr.A.JOSEPH JERRY, Advocate SR.No.57967(F) DATED 18/10/2024

ORDER

IN

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Date :18/10/2024

SS/SAR- /18/10/2024/ 5P/7C

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