



CRL OP(MD). No.19210 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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M.Gokul @ Gokul Kannan,

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,  
Rep. By, the Inspector of Police,  
Thevaram Police Station,  
Theni District.  
Crime No.104/2024).

... Respondent/Complainant

For Petitioner : Mr.V.Kishore Kumar,  
Advocate.

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.104 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 28.09.2024 for the alleged offence under Sections 406, 415, 420 and 506(1) 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 accused persons, who are the father

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and the son, had given an impression to the defacto complainant that they are the dealers of Indian Oil Corporation and that they will include the defacto complainant also as a partner in the business and thereby, they collected a sum of Rs.18,45,000/- from him. They also showed fabricated agreements to the defacto complainant as if they had agency from the Indian Oil Corporation. There are two accused persons in this case and the petitioner has been arrayed as Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has suffered incarceration from 28.09.2024 and Accused No.2 has already been granted bail by this Court in Crl.O.P.(MD).No.16648 of 2024, dated 16.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on his 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 and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass



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Book to ensure their identity.

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[b] the petitioner shall appear before the respondent Police daily at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
07/11/2024

/ TRUE COPY /

07/11/2024  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG  
TO  
1 THE JUDICIAL MAGISTRATE,  
BODINAYAKANUR.

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2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,  
UTHAMAPALAYAM JAIL, THENI DISTRICT.

4 THE INSPECTOR OF POLICE,  
THEVARAM POLICE STATION,  
THENI DISTRICT.

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

+1 CC to M/s.V.KISHORE KUMAR, Advocate ( SR-13684[I] dated 07/11/2024 )

ORDER IN  
CRL OP(MD) No.19210 of 2024  
Date :07/11/2024

SA/SAR. /07.11.2024/4P/7C

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