



CRL OP(MD). No.19539 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

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Venkateshwaran

... Petitioner/ Accused No.6

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
District Crime Branch,
Virudhunagar District.
Crime No.4/2024.

... Respondent/ Complainant

For Petitioner : M/s. Karuppasamy Pandiyan. G,

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervenor : Mr.R.Pon Karthikeyan

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

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



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ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 21.09.2024 for the offences under Sections 120(b), 406, 420, 294(b) and 506(1) IPC in Crime No.4 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was introduced by some of the accused persons to A1 by stating that A1 can get job to the defacto complainant in the High Court. Believing them, the defacto complainant is said to have paid a sum of Rs.42,00,000/-. There are totally six accused persons in this case and the petitioner has been arrayed as A6.

3. The learned Counsel appearing for the petitioner submitted that A1 had received the entire amount in this case and later, he has been enlarged on statutory bail. The learned Counsel further submitted that there is no material against the petitioner and he has been falsely roped in in this case and the petitioner has already suffered incarceration from 21.09.2024 onwards.

4. The learned Additional Public Prosecutor appearing for the respondent



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police submitted that the petitioner was the one who introduced the defacto complainant to A1 and hence, he strongly objected to the grant of bail to the petitioner. The learned Additional Public Prosecutor further submitted that A1 was let out on statutory bail and A3 was granted interim anticipatory bail on condition to deposit. Since the deposit was not made, the interim anticipatory bail was revoked. A5 was granted anticipatory bail by this Court. The petition filed by A4 was dismissed by this Court. Presently, A3 is absconding.

5.The learned Counsel appearing for the defacto complainant submitted that the petitioner played an active role in this case by introducing the defacto complainant to A1 and the defacto complainant parted with a sum of Rs.42,00,000/- to secure a job.

6. Taking into consideration the submissions made on either side and the materials available on record and also considering the fact that the investigation has not been completed in this case and the petitioner has already suffered incarceration for more than 53 days and also considering the fact that A1 has been let out on statutory bail and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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6. Accordingly, the criminal original petition is ordered 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.II, Virudhunagar**, 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 Book to ensure their identity.

[b] the petitioner shall report before the respondent police **daily at 10.30 a.m until further orders** except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

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

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

[f] 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



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

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

sd/-
12/11/2024

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12/11/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
VIRUDHUNAGAR SUB JAIL, VIRUDHUNAGAR.
- 4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.19539 of 2024
Date :12/11/2024

SS/SAR- /12/11/2024/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023