



CRL OP(MD). No.19801 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19801 of 2024

Mageswari

... Petitioner/ Accused No.2

Vs

State of Tamil Nadu,
Rep By,
The Sub-Inspector of Police,
District Crime Branch,
Theni District.
Crime No.25/2024..

... Respondent/Complainant

For Petitioner : Mr.S.Siva Ilayaraja,
Advocate.

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

For Intervenor : Mr.Vikram , Advocate

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.25/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 09.11.2024 for the alleged offence under Sections 406, 468, 471, 420, 120(B), 294(b) and 506(i) of IPC, in Crime No.25 of 2024, on the file of the respondent police, seeks bail.

2. The petitioner has already filed anticipatory bail petition in Crl.OP(MD). No. 17084 of 2024. This Court, on considering the facts and circumstance of the case and also considering the fact that the entire case is borne out by records, directed the respondent police to resort to Section 35 of the BNSS and complete the investigation within a period of 3 months. Unfortunately, by the time the order copy was communicated to the respondent, the petitioner came to be arrested and remanded to judicial custody on 09.11.2024.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that by the time the order copy was communicated, the arrest had taken place.



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4. The learned counsel for the intervenor strongly objected to the grant of bail to the petitioner on the ground that the accused persons have conspired together and cheated so many persons.

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

6. Taking into consideration the facts and circumstances of the case and also considering the earlier order passed in Crl.OP(MD). No. 17084 of 2024 dated 07.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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, Theni 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 report before the respondent Police daily at 10.30 a.m. until further orders.

[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]**.



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

sd/-
14/11/2024

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14/ 11 /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.The Judicial Magistrate,
Theni.
2. -do through The Chief Judicial Magistrate, Theni.
- 3.The Superintendent,
Central Prison (Women's Special Cell),
Madurai.
- 4.The Sub-Inspector of Police,
District Crime Branch,
Theni District.



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5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. SIVA ILAYARAJA. S Advocate SR.No.13993

ORDER

IN

CRL OP(MD) No.19801 of 2024

Date :14/11/2024

RD(14/11/2024) 6P / 7C

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