



CRL OP(MD). No.20258 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20258 of 2024

Chandru,

... Petitioner/ Accused No.6

Vs

1.State of Tamil Nadu,
Rep By,
The Inspector of Police,
Sivakasi Nagar Town Police Station,
Virudhunagar District.
Crime No.79/2024.

2.The State rep by its
The Inspector of Police,
District Crime Branch,
Virudhunagar District.

... Respondents/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.



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PRAYER:-

For Bail in Crime No.79/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.6, who was arrested and remanded to judicial custody on 05.09.2024 for the alleged offence under Sections 406, 420 and 109 of IPC @ Sections 406, 409, 420, 109, 465, 468, 471 and 120(B) of IPC, in Crime No.79 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that an inspection was conducted for the period from 26.02.2024 to 28.02.2024 for nearly 245 jewel loan accounts. Out of the same, it was found that in 126 accounts, bogus/fake jewelry has been pledged and the amount has been swindled. There are totally 9 accused persons in this case and the petitioner has been arrayed as A8.

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

4. In the instant case, according to the prosecution, the role played by the petitioner is that he and his wife had fetched the customers and helped A1 to open the loan accounts with fake jewelry.

5. A1 and A2, who are the key accused in this case, were released on statutory bail. A3 and A4 were granted anticipatory bail by this Court in Crl.OP(MD). No.



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11956 of 2024 dated 29.07.2024 and Crl.OP(MD). No. 11263 of 2024 dated 23.07.2024 respectively. The petitioner has suffered incarceration from 05.09.2024. The petitioner was not even taken on police custody by the police for recovering any amount.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 05.09.2024, 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 No.I, Sivakasi, 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 2nd respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders.

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



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[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 269 of BNS, 2023.

sd/-

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22/11/2024

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

PAL

TO

1 THE JUDICIAL MAGISTRATE NO.I
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



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3 THE INSPECTOR OF POLICE,
SIVAKASI NAGAR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.

5 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-14438[I] dated
22/11/2024)

ORDER
IN

CRL OP(MD) No.20258 of 2024

Date :22/11/2024

SA/GSV/SAR- /21/11/2024/ 5P/8C

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