



CRL OP(MD). No.21567 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21567 of 2024

P.Sivasakthi

... Petitioner/ Accused 1

Vs

The State of Tamil Nadu,
The Inspector of Police,
Thanthonimalai Police Station,
Karur,
In Crime No.450/2024.

... Respondent/Complainant

For Petitioner : Mr.K.Thenrajan, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.450/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/A1, who was arrested and remanded to judicial custody on 03.11.2024 for the offences under Sections 316(2) and 318(2) of BNS (hereinafter referred to as new penal code) in Crime No.450 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was working as a temporary staff in Revenue Department. The accused persons are said to have approached the defacto complainant and promised that they can help her in getting the job confirmed. By making such a promise, a total sum of Rs.9.74 lakh was received from the defacto complainant out of the total amount demanded to the tune of Rs.10.50 lakh. Thereafter, they did not return back the amount nor get the job of the defacto complainant confirmed.

3.The learned Additional Public Prosecutor appearing for the respondent police submitted that A2 is the brother of A1 and the entire amount has been received by way of bank transaction, wherein a sum of Rs.7.85 lakh has come to the account to the petitioner and the balance has gone to the account of A2. He further submitted that till date, no amount has been recovered from the petitioner.



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4. The learned Counsel appearing for the petitioner submitted that the amount was handed over to A2 and that A2 is not the brother of A1 and it is A2, who had cheated.

5. Taking into consideration the facts and circumstances of the case and considering the manner, in which, this incident had taken place and taking note of the fact that the petitioner is a lady and she has already suffered incarceration from 03.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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.I, Karur, 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.



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[b] the petitioner shall report before the respondent police every Monday and Friday at 10.30 a.m until further orders.

[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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS 2023.



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[h]The petitioner shall deposit a sum of Rs.1,50,000/-(Rupees One Lakh Fifty Thousand Only) to the account of Crime No.450 of 2024 on the file of the learned Judicial Magistrate No.I, Karur.

sd/-
09/12/2024

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09/12/2024
Sub-Assistant Registrar (WRIT)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1. THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
3. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, TRICHY.
4. THE INSPECTOR OF POLICE,
THANTHONIMALAI POLICE STATION,
KARUR,
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.21567 of 2024
Date :09/12/2024

RK/ (09/12/2024) 6P / 6C

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