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Crl.O.P.No.2115 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2115 of 2025

Semmuni

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.
(Crime No.114 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.114 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Selvakumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.114 of 2024 registered for the offences punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, is on board for consideration.



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2. The incarceration of the petitioner being from 30.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submit that, due to civil dispute regarding running of a School, a false complaint has been given by the defacto complainant. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl.Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner is the Correspondent of the Himalayan Matriculation School and he approached the defacto complainant with a proposal to manage and maintain the School for the period of 5 years and based on the same, petitioner had received a sum of Rs.15,00,000/- from the defacto complainant and handed over the School without any Government approval. He further submit that the major part of the investigation is over.

4. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the



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petitioner with certain conditions and accordingly, he is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Pappirettipatti**, 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 06.30.p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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



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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 B.N.S.

29.01.2025

Sma

To

1. Judicial Magistrate, Pappirettipatti
2. The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.
3. The Superintendent,
District Jail, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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