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Crl.O.P.No.15636 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL OP NO. 15636 of 2025

Kalaivanan, M/38 years, s/o Chinnappan

... Petitioner/A1

Vs

State rep.by

The Inspector of Police,

CCB Police Station, Salem.

Crime No.12/2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in Crime No.12 of 2025 on the file
of the respondent Police.

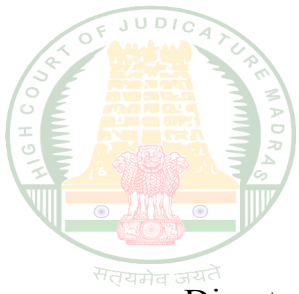
For Petitioner(s): Mr. B.Vasudevan

For Respondent(s): Mr.V.J.Priyadarsana, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 04.05.2025 for the alleged offence punishable under Sections 61(2),
318(2), 318(3), 318(4) of the BNS 2023 in Crime No.12 of 2025, on the file
of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the Managing



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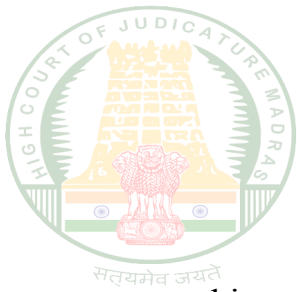
Director of the firm namely Conex Industries and he along with other accused persons by making false promise to get job for the de-facto complainant and 13 others, obtained a sum of Rs.50,000/- from them. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is not the Managing Director of the said firm and he has not committed any offence as alleged by the prosecution. He would further submitted that the petitioner was arrested and he is in judicial custody from 04.05.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 04.05.2025.

5. Heard both sides and perused the materials available on record including FIR.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also



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taking into account the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain 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.5, Salem** 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 is directed to deposit a sum of **Rs.5,00,000/- (Rupees five lakhs only)** before the **Judicial Magistrate No.5, Salem in Crime No.12 of 2025**, without prejudice to his defence before the trial Court and the concerned Magistrate/Judge after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

[c] the petitioner shall report before the concerned **Magistrate/Judge daily at 10.30 a.m on every Monday to Friday and appear before the respondent police at 10.30 a.m on every Saturday and Sunday until further orders;**

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



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[e] the petitioner shall not tamper with evidence or witness 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 51340]*;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

[a]

21.05.2025

mst

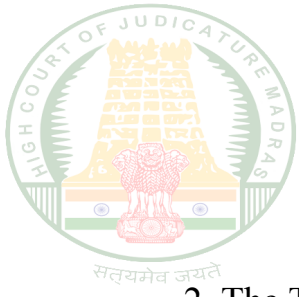
Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**

To

1.The Judicial Magistrate No.5, Salem.

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2. The The Inspector of Police,
CCB Police Station, Salem.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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