



CRL OP(MD). No.1192 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Hariharan,
S/o. Arumugam,
3/15, Police Station Street,
Vikravandi,
Vilupuram District.

... Petitioner/ Accused 4

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Virudhunagar District
(Crime No.18 of 2021).

... Respondent/Complainant

For Petitioner : Mr.J.Thomas Raja Durai,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.18 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial custody
on 10.12.2024 for offence under Sections 409, 420, 465, 468, 471 of IPC and Section 506

(1) of IPC in Crime No.18 of 2021, on the file of the respondent Police, seeks bail.

<https://www.mhc.tn.gov.in/judis>



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2. The case of the prosecution is that the defacto complainant is involved in the business of dal and gram at Virudhunagar. The accused persons are said to have approached the defacto complainant and introduced themselves as if they are running the Kishan Ration Shop belonging to the Government of Tamil Nadu. Believing their words, the defacto complainant is said to have supplied the materials to the tune of Rs.5,01,07,400/-. Later, the defacto complainant realized that he has been cheated. Thus the complaint came to be given before the respondent Police. There are totally eight accused persons in this case and the petitioner has been arrayed as Accused No.4 on the ground that he is also involved along with the other accused persons.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only a Salesman and infact, the petitioner had left the services and later, he joined in the HDFC Life Insurance. Subsequently, he joined yet another Company called as Mangal Foundations. Ultimately, he once again came and joined in the Empire Housing and Property. Thus, it was contended that the petitioner was merely a Salesman, who was working at the relevant point of time and he has nothing to do with the alleged offence.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the entire incident had taken place during the period from



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28.03.2021 to 08.08.2021. Even as per the Experience Certificate relied upon by the petitioner, he was very much working with Accused Nos.1 and 2 till 03.11.2021 and the petitioner was actively involved in canvassing and getting the defacto complainant to supply the materials. He further submitted that Accused Nos.1 to 3, 7 and 8 were also arrested in this case and they were granted statutory bail. He further submitted that Accused Nos.5 and 6 are absconding. It also brought to the notice of this Court that there are no previous cases against the petitioner.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 10.12.2024 and taking note of the fact that many of the other accused persons have been granted statutory bail and there are no previous cases against the petitioner, 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.II, Virudhunagar District 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 every Monday and Friday 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].

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

sd/-
29/01/2025

/ TRUE COPY /

29/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO
1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR DISTRICT.



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

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

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

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

+1 CC to M/s.J.THOMAS RAJADURAI, Advocate (SR-1063[I] dated 29/01/2025)

ORDER
IN
CRL OP(MD) No.1192 of 2025
Date :29/01/2025

SA/SAR. /29.01.2025/5P/7C

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