



CRL OP(MD). No.1049 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1049 of 2025

Wilson

... Petitioner/ Accused No.1

Vs

The Sub-Inspector of Police,
Kadaiyalumoodu Police Station
Kanyakumari District.
(Crime No. 183 of 2024).

... Respondent/ Complainant

For Petitioner	:	Mr.R.Ilayaraja, Advocate.
For Respondent	:	Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 183 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 16.12.2024 for offences under Section 420 of IPC in Crime No.183 of 2024, on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the accused persons received a total sum of Rs.44,80,000/- from nearly 29 persons in the pretext of getting them job abroad. They did not get any job and they returned back only a sum of Rs.12,80,000/-. The balance amount was not returned back and hence, the complaint came to be given. There are totally two accused persons in this case and the petitioner has been arrayed as Accused No.1. Accused No.2 is none other than the son of Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the age of the petitioner and also taking note of the fact that the petitioner has suffered incarceration from 16.12.2024 and his son was not arrested by the respondent Police, since he is a differently abled person and a part of the amount was also repaid back, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. 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, Kulithurai, Kaniyakumari District and on further conditions that:-



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[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 every Monday and Friday at 10.30 a.m. until further orders.

[c] The petitioner shall deposit a sum of Rs.10,00,000/- to the credit of Crime No.183 of 2024 before the learned Judicial Magistrate No.I, Kulithurai, Kanyakumari District within a period of eight weeks after the petitioner is released on bail.

[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].



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

sd/-
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22/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.I,
KULITHURAI,
KANYAKUMARI DISTRICT

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE,
DISTRICT JAIL,
NAGERCOIL.

4 THE SUB-INSPECTOR OF POLICE,
KADAIYALUMOODU POLICE STATION
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-639[I] dated 22/01/2025)



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ORDER

IN

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Date :22/01/2025

RS/IT/SAR-(22.01.2025) 5P 7C

Madurai Bench of Madras High Court is issuing
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