



CRL OP(MD). No.8613 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/05/2025

PRESENT

The HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.8613 of 2025

Bakurudeen,
S/o. Muthalif
Eswaran Kovil,
Thiruvappur China Railway Gate,
Pudukottai Town and District..

... Petitioner/ Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
District Crime Branch, Pudukottai District
(Crime No. 6 of 2025).

... Respondent/ Complainant

For Petitioner : M/s. Jegadeeswaran.R.,
Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
For intervenor : Mr.Manojkumar

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 6 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 23.04.2025 for the offences punishable under Sections 296, 316(2) and 318(4) BNS 2023 in Crime No. 6 of 2025 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the petitioner has received a sum of Rs.35,00,000/- from the defacto complainant for developing business and subsequently return only part of the amount and repaid Rs.9,89,500/- and remaining amount has not been paid.

3. The learned counsel for the petitioner submits that the admitted amount is around Rs.14,63,000/- and he is in custody from 23.04.2025, he is ready to pay the remaining admitted amount directly to the defacto complainant. Therefore, he prays for grant of bail.

4. The learned counsel for the intervenor has also appeared and objected to grant bail and stated that the balance amount has to be paid.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in custody from 23.04.2025 and considering the nature of transaction, I am of the view that the petitioner shall pay the balance amount of Rs.4,75,000/- by way of demand draft directly to the defacto complainant, before executing the sureties.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Pudukkottai, Pudukkottai District;

(i) the petitioner shall make a deposit of Rs.4,75,000/- (Rupees Four Lakhs Seventy Five Thousand only) through demand draft in favour of the defacto complainant and the learned Judicial Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioner;

(ii) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/ concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iv) the petitioner shall not tamper with evidence or witness;

v) the petitioner shall not abscond during trial.

vi) 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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[vii] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of BNS 2023.

sd/-
14/05/2025

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/05/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II, PUDUKKOTTAI, PUDUKKOTTAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
 3. THE OFFICER IN CHARGE, DISTRICT PRISON, PUDUKKOTTAI.
 4. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, PUDUKOTTAI DISTRICT
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. JEGADEESWARAN.R. Advocate SR.No.5517 (I)DT .14/05/2025



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ORDER

IN

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Date :14/05/2025

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