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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.8717 of 2025

Suresh ... Petitioner / Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirupparankundram Town Police Station (L & O),
Madurai District.
Crime No.122/2025. ... Respondent/Complainant

For Petitioner : Mr.J.Vijayaraja,
Advocate
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-
For Bail in Crime No. 122 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, who was arrested and remanded to judicial custody on 08.04.2025 for the offences punishable under Section 194 of BNSS, 2023 @ 108 of BNS, 2023 in Crime No.122 of 2025 on the file of the respondent-police.

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2. The case of the prosecution is that the husband of the defacto complainant and A1 were friends. The petitioner, along with Accused No.1, received a sum of Rs. 10,00,000/- from the deceased and failed to repay the same. Furthermore, A1 transferred the ownership of a car belonging to the deceased, but, did not pay for it. Due to mental agony, the deceased committed suicide by hanging himself from a ceiling fan in his house on 24.02.2025. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 08.04.2025. He further submits that this Court has already granted bail to Accused No.1 in Crl.O.P.(MD).No.8430 of 2025 on 08.05.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent-Police submits that the petitioner herein cheated the husband of the defacto complainant to the tune of Rs.10,00,000/-. However, he prays to dismiss this petition.

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5. Considering the facts and circumstances of the case, and considering the nature of allegation, and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

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.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate VI, Madurai;

(i)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;

(ii)the petitioner shall report before the respondent-Police daily at 10.30 a.m., until further orders;

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

iv)the petitioner shall not abscond during trial.

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v)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].

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.

TSG

TO

1. JUDICIAL MAGISTRATE VI, MADURAI DISTRICT.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4. THE INSPECTOR OF POLICE,
THIRUPPARANKUNDRAM TOWN POLICE
STATION (L & O), MADURAI DISTRICT.

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

+1. CC to J. VIJAYARAJA Advocate SR.No.5543 (I)DT.14/05/2025

ORDER
IN
CRL OP(MD) No.8717 of 2025
Date :14/05/2025

PR/15.05 .2025 5P/7C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

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