



CRL OP(MD). No.22887 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.22887 of 2024

Jahir Hussain

... Petitioner /Sole Accused

Vs

The Inspector of Police,
Thallakulam Police Station,
Madurai District.
(Crime No.1287 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Sivaprakash, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.1287 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 26.11.2024 for the alleged offences under Sections 406 and 420 of IPC, in Crime No.1287 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is running a travel agency in the name of "Airways Abroad Jobs". The defacto complainant approached the petitioner and sought for arranging jobs abroad for her relatives. The petitioner collected a sum of Rs.4,15,000/- from the defacto complainant during the period from



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20.12.2023 to 24.02.2024. After receipt of the amount, petitioner did not take any effective steps to get the job and thereby cheated the defacto complainant. The petitioner was able to repay only a sum of Rs.1,10,000/- and the balance amount of Rs.3,05,000/- was not repaid.

3. Heard the learned counsel appearing on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the nature of allegations made against the petitioner and also considering the fact that the entire transaction is supported by bank entries and also considering the fact that the petitioner has suffered incarceration from 26.11.2024 and also taking note of the submission made by the learned counsel appearing for the petitioner that the petitioner will settle the entire amount within a period of three months and also considering the fact that there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. 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.II, Madurai and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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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 as and when required for interrogation.

[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/-
02/01/2025

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02/01/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,, THALLAKULAM POLICE STATION,
MADURAI DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, MELUR, MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.22887 of 2024

Date :02/01/2025

RS/IT/SAR-(02.01.2025) 4P 6C

Madurai Bench of Madras High Court is issuing
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