



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

Monday, the Eighteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2489 of 2019

CHANDRU @ CHANDRAVANAN

... PETITIONER / ACCUSED No. 3

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.340 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.H.VELAVADHAS Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / A3, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 506(i) and 420 of IPC in Crime No.340 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons obtained a sum of Rs.35 lakhs from thirteen persons on false promise to secure jobs. Out of which the petitioner obtained a sum of Rs.3 lakhs from the petitioner, but neither secure the job nor returned the amount. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person. He did not commit any offence as alleged by the prosecution. However, he is ready to deposit a sum of Rs.3,00,000/- to the credit of crime number.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the investigation is still pending.



5. Considering the facts and circumstances of the case and since the petitioner agreed to deposit a sum of Rs.3 lakhs into the crime number, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, on condition that the petitioner shall execute 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of crime number before the trial Court before the execution of sureties;

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

(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 petitioners 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]**; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

18/02/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO I
NAGERCOIL, KANIYAKUMARI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
<https://hcservices.ecourts.gov.in/hcservices/>
KANYAKUMARI DISTRICT AT NAGERCOIL



3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to MR.H.VELAVADHAS Advocate SR.No.3268

ORDER
IN
CRL OP (MD) No.2489 of 2019
Date :18/02/2019

MSI/PN/SAR-III/20.02.2019-3P/6C