



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

Friday, the Fifteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.21440 of 2018

PERIASAMY

... PETITIONER / ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO NOT KNOWN OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.GANDHI 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, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 420 & 506 (i) of IPC, in Cr.No.246 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that by false promise as he secure a job to the defacto complainant's the petitioner along with other accused has obtained a sum of Rs.5,00,000/- from the defacto complainant, thereby cheating him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. Further, he on instructions submitted that the petitioner is ready to deposit a sum of Rs.3,,00,000/- to the credit of crime number and thereafter the same may be disburse to the defacto complainant.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that on such deposit, this court may pass orders.

5.Taking into consideration the nature of allegation against the petitioner and also the submissions made by the leaned counsel,



this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri, 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/- (Rupees Three lakhs only) to the credit of crime number before the concerned Magistrate Court before the execution of sureties and thereafter the Magistrate shall disburse the same to the defacto complainant on filing affidavit;

(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 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]**; and;

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

sd/-
15/02/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
MUSIRI, TRICHY DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT



3

3 THE INSPECTOR OF POLICE
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP (MD) No.21440 of 2018

Date :15/02/2019

MSI/JC/SAR-III/19.02.2019-3P/5C