



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.11118 of 2020

Nanjil B E Jeyakumar @ Jeyakumar ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
(Crime No.17 of 2020).

... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.17 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

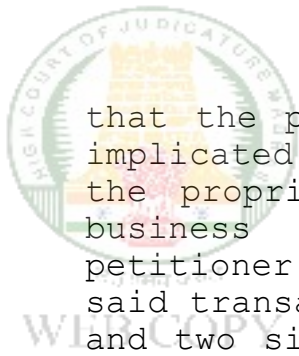
The petitioner is a sole accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 420 & 506(i) of I.P.C. in Crime No.17 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has received a sum of Rs.6 lakhs from the defacto complainant, for getting job in Railway Department. After receipt of the same, the petitioner did not arrange any job to the defacto complainant and also refused to return the money. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent.

4.The learned counsel appearing for the petitioner submitted

<https://hcservices.ecourts.gov.in/hcservices/>



that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is the proprietor of M/s.J.K. Construction and Builders and due to business dealings, there was money transactions between the petitioner and one Gayathri. He further submitted that during the said transaction, the said Gayathri had obtained seven blank cheques and two signed blank Non Judicial Stamp and two signed blank Non Judicial Stamp, while being so, the petitioner has deposited last due of Rs.1,50,000/-to the bank account of the said Gayathri. He further submitted that the petitioner who is none other than own brother in law of the said Gayathri. He further submitted that he is ready and willing to deposit the said amount. Hence, he seeks anticipatory bail.

5. Heard the learned Government Advocate (criminal side) appearing for the respondent police.

6.Considering the fact and circumstances of the case and considering the submission of the learned counsel appearing for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, and 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 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 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.6 Lakhs to the credit of Crime No.17 of 2020, before the concerned Magistrate Court, within a period of Two weeks, without prejudice to his rights in the criminal case;

(c) the petitioner shall appear before the respondent police as and when required for interrogation.

(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 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/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

09/10/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAGERCOIL, KANYAKUMARI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11118 of 2020

Date :09/10/2020

KSA

AE/JC/SAR-IV (14.10.2020) 3P 5C