



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2021

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PRESENT

The Hon'ble Mr. Justice M.NIRMAL KUMAR

CRL OP (MD). No.453 of 2021

Jeevananthan

... Petitioner/Accused No.1

Vs

The State Rep. by
The Inspector of Police,
District Crime Branch,
Karur District
Crime No. 25/2020

... Respondent/Complainant

For Petitioner : Mr.M.Palaniraja, Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No. 25/2020 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 120B, 406, 420, 468 and 471 of I.P.C., in Crime No.25 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. It is seen from the materials on record that the petitioner had received Rs.6 Lakhs through his bank account and Rs.4 Lakhs by way of cash from the defacto complainant by promising to get job for him initially at Axis Bank and thereafter in Southern Railway. The other accused also received a small portion of the amount and also received records from the defacto complainant. The petitioner submits that he had passed the money to other contractor. He was also cheated by them and he lost the money. He further submits that his wife is in advance pregnancy stage and he wants to be with his wife. She was granted anticipatory bail by this Court in Crl.O.P. (MD) No.456 of 2021 on 12.02.2021 on condition to deposit a sum of Rs.3 Lakhs.



4. In view of the above, I am inclined to grant anticipatory bail to the petitioner with a condition that the petitioner shall deposit a sum of Rs.6,00,000/- (Rupees Six Lakhs Only) to the credit of Crime No.25 of 2020 before the learned Judicial Magistrate No.I, Karur, without prejudice to their rights and contentions before the trial Court and the same shall be done while executing the sureties.

5. 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, Karur, 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 to 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 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 daily at 10.30 a.m for a period of two weeks and thereafter, 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;

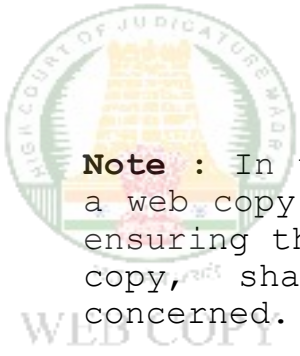
(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

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

sd/-
25/02/2021

/ TRUE COPY /

/ /2021
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, KARUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KARUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.453 of 2021
Date :25/02/2021

IAS
TE/JC/SAR-II : 09/03/2021 : 3P/5C