



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/09/2022

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) No.10513 of 2022

1 MEENAKUMARI

2 SUBASHINI

3 LEOSATHARAJ

... PETITIONERS / ACCUSED

**(R4 DELETED AS PER THE ORDER OF THIS
COURT DATED 11.07.2022 IN CRL MP(MD)
NO.7884 OF 2022 IN CRL OP(MD)
NO.10513 OF 2022 BY GIJ)**

Vs

1 THE STATE REP BY,
THE INSPECTOR OF POLICE,
(H-8)NAGAMALAI PUDHUKOTTAI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.196/2022)

....RESPONDENT/COMPLAINANT

(*)2 RAVINDRANATH SWAMY

...2nd RESPONDENT/DEFACTO COMPLAINANT

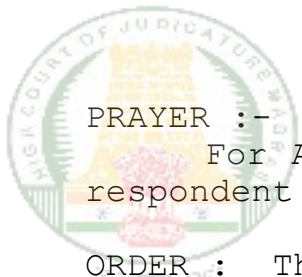
(*)R2-SUO MOTU IMPEADED AS PER ORDER OF
THIS HONOURABLE COURT DATED 22.06.2022
IN CRL OP(MD)No.10513 of 2022

For Petitioner : M/s.Rajaiah L,
Advocate.

For Respondent : Mr.E. Antony Sahaya Prabahar,
No.1 Government Advocate (Crl.Side)

For Respondent : M/S.K.R.BHARATHI KANNAN, Advocate
No.2

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

**PRAYER :-**

For Anticipatory bail in Crime No.196/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

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The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 420, 406 and 506(i) IPC in Crime No.196 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a Civil Engineer and the accused A1 to A4 are relatives of the defacto complainant and they engaged the defacto complainant for construction of work. He has completed the work, but they have not paid the balance amount of Rs.4,93,000/- and cheated him. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

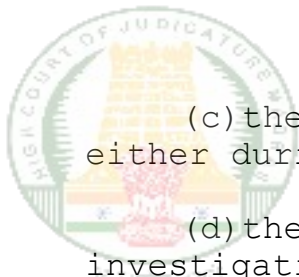
4.The learned Government Advocate(Crl.Side) would submit that the petitioners cheated the defacto complainant without paying the balance amount of Rs.4,93,000/- for construction work. Hence, the complaint.

5.Considering the facts and circumstances of the case and also considering the fact that it is money dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)each 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 conditions that:

a)the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am until further orders.



(c)the petitioners shall not tamper with evidence or either during investigation or trial;

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

22/09/2022

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/10/2022

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

TRP

TO

1.THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
(H-8)NAGAMALAI PUDHUKOTTAI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.L.RAJAIAH, Advocate (SR-10493[I] dated 26/09/2022)

ORDER

IN

CRL OP(MD) No.10513 of 2022

Date :22/09/2022

RK/GB/SAR-2 (30/09/2022) 3P/6C