



WEB COPY

CRL OP(MD). N



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

Date : 08/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.18790 of 2021

1. Selvaraj

2. Arockiya Mary

... Petitioners/Accused No.1&2

Vs

1.The State rep.by,
The Inspector of Police,
Tallakulam Police Station,
Madurai City.
Cr.No. 1268 of 2021.

...Respondent/Complainant

(*)2. Palaniraj

...2nd Respondent

(*)R2 Suo Motu Impleaded as Per
Order of This Court Dated
15.12.2021 in Crl.O.P(MD).No.18790
of 2022) .

For Petitioners : M/s.Azagarsami.A.K.,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
No.1 Additional Public Prosecutor
(Crl.side)

For Respondent : P.Kalaiyarasi Bharathi, Advocate
No.2

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

PRAYER :-

For Anticipatory Bail in Crime No.1268 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 406 and
420 of IPC, in Crime No.1268 of 2021, on the file of the respondent
police, seeks anticipatory bail.

<https://www.jh.gov.in/judis>



2. On perusal of CD file, it shows that an undertaking has been executed by the defacto complainant stating that he has paid Rs.2,43,000/- to the accused persons for getting VISA to obtain a Job in Australia and also they received a sum of Rs.50,000/- for the purpose of travel arrangement. The further allegation is that after repeated request made by the defacto complainant, the petitioners issued a cheque bearing in Cheque No.263683 for a sum of Rs.1,50,000/- that was presented for payment and the same was returned as insufficient fund.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submitted that the defacto complainant also filed a complaint under Section 138 of NI Act against these petitioners.

4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police would submit that no previous case is pending against this petitioners.

5. Considering the facts and circumstances of the case and also considering the antecedents of the petitioner, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.II, Madurai, and on their executing 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 learned Magistrate concerned; and the petitioners shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Cr.No.1268 of 2021 before the learned Judicial Magistrate No.II, Madurai, within a period of two weeks from the date of receipt of copy of this order.

8. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

08/08/2022

/ TRUE COPY /

/09/2022

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, 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.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3.THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION,
MADURAI CITY.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.KALAIYARASI BHARATHI, Advocate SR.No.37097(F)

ORDER

IN

CRL OP(MD) No.18790 of 2021

Date :08/08/2022

TTA

RK/JM/SAR-I (01/09/2022) 3P/6C