



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2023

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PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.127 of 2023

Anand @ Arumugam

... Petitioner/Accused Rank not known

Vs.

The Inspector of Police,
Karur Police Station,
Karur District
(Crime No.814 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Gokulraj, Advocate

For Respondent : Mr.M.Veeranthiran
Government Advocate (Crl.side)

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

PRAYER :-

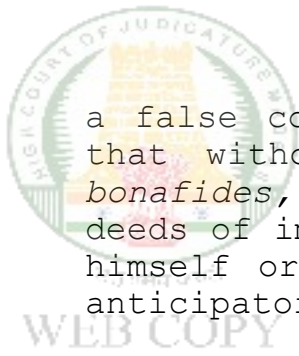
For Anticipatory Bail in Crime No. 814 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 417, 420 and 468 IPC in Crime No.814 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the accused, in the guise of securing a job, has received Rs.3,60,000/- from the defacto complainant and had cheated him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that due to money dispute between himself and one Saravan, the defacto complainant has lodged



a false complaint against the petitioner. He would further submit that without prejudice to his rights and contentions, to show *bonafides*, the petitioner is ready to produce the original title deeds of immovable property worth Rs.3,50,000/- either belonging to himself or his friends or relatives. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the accused received Rs.3,60,000/- from the defacto complainant for securing a job and when the defacto complainant requested money, they have not repaid the same. Hence, he prays to dismiss this application.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of 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.1, 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 the police officer, who intends to arrest or to the satisfaction of the learned Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

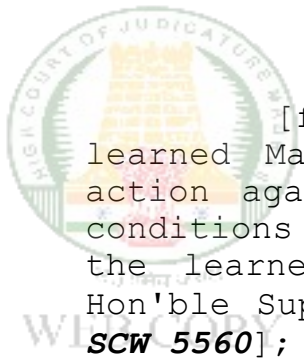
[a] the petitioner shall produce original title deeds of immovable property worth Rs.3,50,000/- either by himself or by his friends or relatives to the credit of Crime No.814 of 2022 before the learned Judicial Magistrate No.1, Karur ;

[b] 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.

[c] the petitioner shall report before the respondent Police Station everyday at 05.30 p.m., until further orders;

[d] the petitioner shall not tamper with the 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

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TO

1.THE JUDICIAL MAGISTRATE NO.1, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE,
KARUR POLICE STATION,
KARUR DISTRICT

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

+1 CC to M/s.GOKULRAJ S, Advocate (SR-301[I] dated 06/01/2023)

ORDER

IN

CRL OP(MD) No.127 of 2023

Date :05/01/2023

RK/MMS/SAR-2 (12/01/2023) 3P/6C