



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

Date : 09/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.4515 of 2023

WEB COPY

Kader Ibrahim

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
(Crime No.630 of 2022.)

... Respondent / Complainant

For Petitioner : M/s.Paranjothi.R, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.630 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of I.P.C., in Crime No.630 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner introduced one travel agency to the de-facto complainant and he had induced him to pay a sum of Rs.1,00,000/- towards the expenditure for obtaining visa and passport for purpose of securing job opportunity in United Arab Emirates. The de-facto complainant as soon as reached abroad, came to know that there is no job opportunity as stated by the travel agency. Hence, the case.

3.The learned counsel for the petitioner would submit that he only introduced the travel agency for the de-facto complainant in order to go to abroad. The de-facto complainant paid directly to the travel agency for a sum of Rs.1,00,000/- and went to abroad. Thereafter, he did not found any job and returned back to India. Therefore, a false case has been foisted against the petitioner.

<https://www.mhc.tn.gov.in/> Perused the materials available on record including



the First Information Report.

5. Considering the above facts and circumstances, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Aranthangi, 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/03/2023

/ TRUE COPY /

/03/2023

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



TO

1. The Judicial Magistrate, Aranthangi.
2. Do-Through The Chief Judicial Magistrate,
Pudukottai District.
3. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.4515 of 2023

Date :09/03/2023

ED/MMS/SAR-1 (23/03/2023) 3P 5C