



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

Date : 20/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7284 of 2023

Maheswaran

... Petitioner / Accused No.2

Vs

The State rep by
The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.510/2019).

... Respondent / Complainant

For Petitioner : M/s.Karunanithi M, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.510/2019 on the file of the Respondent Police.

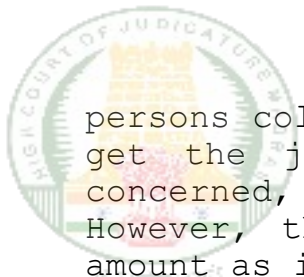
ORDER : The Court made the following order :-

The petitioner/A2, 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.510 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused had induced the de-facto complainant that they would get a job in Private Bank for him and had received an amount of Rs.1,15,000/- and later, cheated him. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the crime is of the year 2019. The case has been registered based on the direction issued under Section 156(3) of Cr.P.C. According to the case of the prosecution, all the accused



persons collected a sum of Rs.3,80,000/- from the victim in order to get the job in private bank. In so far as the petitioner is concerned, he received a sum of Rs.1,50,000/- from the victim. However, the petitioner is ready and willing to deposit the said amount as imposed by this Court.

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5. Considering the above facts and circumstances of the case and also the fact that the petitioner is ready and willing to pay a sum of Rs.1,50,000/- to the de-facto complainant directly, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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 No.I, Virudhunagar, 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 shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand Only) by way of demand draft drawn in favour of the defacto complainant directly and on production of proof/acknowledgement the learned Magistrate shall accept the sureties furnished by the petitioner.

[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, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with 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].



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CRL OP(MD).



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

sd/-
20/04/2023

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

SJI

To

1.The Judicial Magistrate No.I,
Virudhunagar.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.KARUNANITHI M, Advocate (SR-6179[I] dated 20/04/2023)

ORDER
IN
CRL OP(MD) No.7284 of 2023
Date :20/04/2023

ED/BUC/SAR-3 (27/04/2023) 3P 6C