



CRL OP(MD). No.7872 of 2023

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

Date : 27.04.2023

PRESENT

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

CRL OP(MD). No.7872 of 2023

1.Muthuvel

*2.Imanuvel Raj Kumar

... Petitioners/ Accused Nos. 3 & 4

Vs

State rep. ,by

The Inspector of Police,

District Crime Branch,

Theni, Theni District.

(Crime No.18 of 2023)

... Respondent/Complainant

For Petitioners : Mr.MP.Senguttuarasan,Advocate

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.18/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420 and 120B of



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IPC, in Crime No.18 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners received a sum of Rs.3 Lakhs from the defacto complianant in order to get a Government Job and thereafter, they cheated the defacto complainant. Hence, the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that the petitioners are arrayed as A3 and A4 and they canvassed the general public in order to get job and the victims have also paid a sum of Rs.26,45,000/- so far, in the account of A1 and A2. In so far as the petitioners are concerned, they only canvassed the public. However, the learned counsel for the petitioners submitted that in order to show their bonafide they are ready and willing to deposit considerable amount.

5. Taking into consideration of the facts and circumstances of the case and also the submission of the learned counsel for the petitioners, 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 arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Theni, Theni



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District, 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 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 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 deposit a sum of Rs.1 Lakh each, to the credit of Crime No.18 of 2023 within a period of two weeks from the date of receipt of a copy of this order.

[c] the petitioners shall report before the respondent police, daily at 10.30 am., for a period of four weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme

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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
27/04/2023

(*)AMENDED AS PER ORDER OF THIS
HON'BLE COURT DT.25/07/2023 IN CRL
MP(MD) No.10351/2023 in CRL.OP(MD).
7872/2023.

Further Time to comply the condition is
extended by 15 days from the date on
which the order copy made ready.

/ TRUE COPY /

/08/2023

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

RMK

TO
TO BE SUBSTITUTED WITH THE ORDER DT.27/04/2023 ALREADEY
DESPATCHED

1 THE JUDICIAL MAGISTRATE,
THENI, THENI DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THENI THENI DISTRICT.

<https://www.mhc.trn.gov.in/judis>



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

+1 CC to M/s.SENGUTTUARASAN.P, Advocate (SR-11274[I] dated 26/07/2023

ORDER
IN

CRL OP(MD) No.7872 of 2023
Date :27/04/2023

PKP/VR/SAR-4/17.05.2023/ 5P/6C
ED/MMS/SAR- (02/08/2023) 5P / 6C

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