



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28.04.2023
PRESENT

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

CRL OP(MD)No.8240 of 2023

Senthil Kumar

... Petitioner/Accused 6

Vs

State Represented by
The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
(Crime No.46 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj, 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.46 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/rank not known, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 420, 467, 468, 469 and 471 of IPC in Crime No.46 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that the petitioner along with other accused received a sum of Rs.8,60,000/- from him in order to get job and thereafter cheated him. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only Auto driver. Even according to the case of the prosecution, the petitioner received a sum of Rs.80,000/- from the defacto complainant. Now, the petitioner is ready and willing to deposit the said amount.

4. Heard and perused the materials available on records including the First Information Report.

5. Considering the above facts and circumstances of the case and also the petitioner is ready and willing to pay the amount, this



Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is ordered on condition that the petitioner shall deposit a sum of Rs.80,000/- (Rupees Eighty Thousand only) to the credit of Cr.No.46 of 2023 on the file of the respondent police.

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6. On such deposit being made, 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, Nilakottai, 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 morning at 10.30 am., 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/-

28/04/2023

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/05/2023

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



1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
AMMAYANAICKANUR POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to M/S.K.ARUNRAJ Advocate SR.No.7121

ORDER

IN

CRL OP(MD) No.8240 of 2023
Date :28/04/2023

SA/VR/SAR.3/17.05.2023/3P/6C