



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17/05/2023

PRESENT

WEB COPY

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8884 of 2023

1. S.Soundirarajan

2. S.Vijayageetha

... Petitioners/Accused 1 & 2

Vs

The state represented by
The Inspector of Police,
Anna Nagar Police Station, (E3) Crime,
Madurai District.
Crime No.266 of 2023.

... Respondent/Complainant

For Petitioners : Mr.Jayaramachandran.A.,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

For Intervenor : Mr.N.SYED ALI, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.266 of 2023 on the file of
the Respondent Police,

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
406, 420, 294(b) and 506(i) of IPC, in Crime No.266 of 2023 on the
file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there is a dispute
regarding the chit transactions between the parties. Hence, the
complaint.

3.The learned counsel for the petitioners would submit that the
petitioners are innocent persons and they have not committed any
offence as alleged by the prosecution. He would further submit that
they deposited the amount for the chit transaction. Thereafter, the
chit was stopped by the defacto complainant and the dispute is
pending regarding the chit transactions as well as recovery of money.



4.The learned Government Advocate (Criminal Side) appearing for the State would submit that even during the enquiry, the petitioners have agreed to return the amount, but the petitioners have not complied with the terms of agreement.

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5.Considering the facts and circumstances of the case, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.6, Madurai, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners shall deposit a sum of **Rs.1,00,000/- (Rupees one Lakh only) each** to the credit of the Crime No.266 of 2023 on the file of the respondent police;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bonds and the learned Magistrate may obtain copies of their Aadhaar cards or bank pass books to ensure their identity;

(c) the petitioners shall report before the respondent police **once in a week (ie., on every Wednesday at 10.30 a.m.,** for a period of three months, and thereafter, as and when required for interrogation.

(d) the petitioners shall not tamper with the 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 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 / petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

17/05/2023

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/05/2023

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

SM

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



TO

1 THE JUDICIAL MAGISTRATE NO.6
MADURAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.N.SYED ALI, Advocate SR.No.7513

**+1 CC to M/s.A.JEYARAMACHANDRAN, Advocate (SR-7551[I] dated
18/05/2023)**

ORDER

IN

CRL OP(MD) No.8884 of 2023

Date :17/05/2023

SS/VR/SAR-III/18.05.2023/ **3P/ 7C**