



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

Date : 18.05.2023

PRESENT

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

CRL OP(MD)No.9202 of 2023

P.Pazhani @ Jeya Palani

... Petitioner/Accused No.3

Vs

The State Rep by
The Inspector of Police,
DCB Police Station,
Kanyakumari District.
(Crime No.19 of 2023)

... Respondent/Complainant

For Petitioner : Mr.I.Pinaygash, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.19 of 2023 on the file of the Respondent Police.

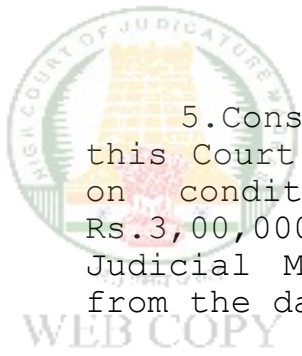
ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No.19 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant gave a sum of Rs.30 Lakhs to the accused persons, in order to get job for his son in milk producers society. However, the accused persons failed to get job and also refused to return the money. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is almost completed.



5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Cr.No.19 of 2023 before the learned Judicial Magistrate-I, Nagarcoil, within a period of three weeks from the date of receipt of a copy of this order.

6. On such deposit, 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 of receipt of a copy of this order, before the learned Judicial Magistrate-I, Nagarcoil on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (one blood related surety) each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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 229-A IPC.

sd/-
18/05/2023

/ TRUE COPY /

/05/2023

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



TO

1. THE JUDICIAL MAGISTRATE-I, NAGARCOIL.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.

3. THE INSPECTOR OF POLICE,
DCB POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9202 of 2023

Date :18/05/2023

RK/SAR- (24/05/2023) 3P/5C