



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2023

PRESENT

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

CRL OP(MD) . No.9402 of 2023

Geetha

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Dindigul District
Crime No.18 of 2023

... Respondents/Complainant

For Petitioner : M/s.N.Anandakumar
Advocate.

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

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

PRAYER :-

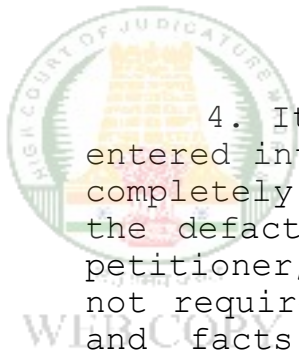
For Anticipatory Bail in Cr.No.18 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5 who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406,420 and 506(i) of IPC in Crime No. 18 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had cheated the defacto complainant to the tune of Rs.48,45,504/- hence the case came to be registered.

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



4. It is seen that the petitioner and the defacto co-... it entered into business with regard to the production of yarn. It is completely a business transaction between them and even according to the defacto complainant, the balance amount has been paid by the petitioner, therefore custodial interrogation of the petitioner does not require in this case. Taking into consideration all the above and facts and circumstances this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5. 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.II, Dindigul 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 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/-

07/06/2023

/ TRUE COPY /

/06/2023

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



AAV
TO

1 THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

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

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH
DINDIGUL DISTRICT.

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

+1 CC to M/s.N.ANANDA KUMAR, Advocate (SR-8348[I] dated
08/06/2023)

ORDER
IN
CRL OP(MD) No.9402 of 2023
Date :07/06/2023

PKP/MMS/SAR- /12.06.2023/ **3P/6C**