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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2023

PRESENT

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

CRL OP(MD). No.10387 of 2023

1.R.Poongothai,

2.Sangeetha @ Sangeethalakshmi,

... Petitioners/Accused Nos.2 and 4

Vs

State rep. By
The Inspector of Police,
District Crime Branch,
Madurai.

Crime No.14 of 2023.

... Respondent/Complainant

For Petitioners : Mr.Seenisulthan.M,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Cr1.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 14 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A4, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 406, 420, 468, 471, 294(b), 506(i) and 120B of IPC in Crime No.14 of 2023 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that A1 who is the retired Court Staff, promised the defacto complainant that he would arrange job as his brother in law was working as J.C. In HR & CE Department. Believing his words, the defacto complainant collected Rs.40,000/- from 30 persons and given it to A1. A1 received the

<https://www.h40.gov.in/judis>



aforesaid amount and thereafter, cheated them by neither job nor repaying the amount, hence the case.

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

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4. It is seen that there are totally five accused, in which the petitioner is arrayed as A2 and A4. A1 and the defacto complainant are retired Court Staffs and they collected money from 40 persons that they would get job in HR & CE Department. The petitioners herein are the wife and daughter of A1 and they are nothing to do with the alleged offence.

5. Taking into consideration the aforesaid facts, 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 No.I, Madurai, 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 report before the respondent police daily at 10.30 am., for a period of two weeks and thereafter as and when required for interrogation.

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

[d] the petitioners 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 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].



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[f] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

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

MRN

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SEENI SULTHAN, Advocate (SR-9056[I] dated 19/06/2023

ORDER
IN
CRL OP(MD) No.10387 of 2023
Date :19/06/2023

PKP/BUC/SAR- /27.06.2023/ **3P/6C**