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CRL OP(MD)N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.06.2023

PRESENT

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

CRL OP(MD)No.10698 of 2023

Nagavel

... Petitioner/Accused No.5

Vs

The State Rep.by
The Inspector of Police,
DCB, Karur District,
(Crime No.33 of 2022)

... Respondent/Complainant

For Petitioner : Mr.V.Vishnu

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl side)

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

PRAYER :-

For Anticipatory Bail in Crime No.33 of 2022 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 120-B, 406, 420 IPC in Crime No.33 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons received huge amount from the defacto complainant in order secure job in Railway Department. However, they failed to secure any job and also refused to return the money. Hence, the case.



3. Heard both sides and perused the materials available on record.

4. It is seen that there are totally 6 accused in this case, in which, the petitioner herein is arrayed as A5. This Court already granted anticipatory bail to A1 on condition to deposit Rs.10 Lakhs to the crime number. The petitioner herein also ready and willing to deposit substantiate amount.

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/- (Rupees Three Lakhs only) to the credit of Cr.No.33 of 2022 before the Judicial Magistrate Court No.1, Karur, within a period of two weeks from the date of receipt of a copy of this order, failing which, anticipatory bail granted to the petitioner shall stand cancelled automatically.

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 on which the order copy made ready, before the Judicial Magistrate Court No.1, Karur 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 at 10.30 A.M., for a period of three 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].



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

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

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TO

- 1.The Judicial Magistrate Court No.1,
Karur.
2. do through The Chief Judicial Magistrate
Karur.
- 3.The Inspector of Police,
DCB, Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.10698 of 2023
Date :16/06/2023

DL/SBN(27.06.2023)/ 3P/ 5C