



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

Date : 20/06/2023

PRESENT

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

CRL OP(MD). No.10941 of 2023

Pitchaimuthu ... Petitioner / Accused No.3  
Vs

State rep by  
The Inspector of Police,  
District Crime Branch,  
Karur District  
(In Crime No.24 of 2022). ... Respondent / Complainant

For Petitioner : Mr.C.Susi Kumar for M/s.Subash Law Office,  
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 Crime no.24 of 2022 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of  
the respondent police for the offences punishable under sections 406  
and 420 of I.P.C., in Crime No. 24 of 2022, on the file of the  
respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant  
is that the first accused cheated the defacto complainant, for  
getting job in Tamil Nadu Electricity Board and received a sum of  
Rs.6,00,000/- from the defacto complainant. On the confession of  
A1, this petitioner has been implicated as an accused.

3. The learned counsel for the petitioner would submit that  
he received only Rs.1,00,000/- that to on loan from one Kamatchi.  
Only on the confession of the first accused, the petitioner has been  
implicated as the accused. However, he is ready and willing to  
deposit the amount as imposed by this Court, only to show his



bonafide, without prejudice to his rights and defence.

4. Heard both sides and Perused the materials available on record including the First Information Report.

5. It is seen that there are totally two named accused in the F.I.R. The first accused assured to get job to the defacto complainant and the general public, received a sum of Rs.15,20,000/-. After his arrest, the first accused confessed that he received a sum of Rs.3,00,000/-, through the petitioner herein. On the said confession, the petitioner has been implicated as the accused.

6. Taking into consideration of the facts and circumstances of the case and that the petitioner, to show his *bona fides*, is ready and willing to deposit Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.24 of 2022 before the Judicial Magistrate No.I, Karur, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. 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.I, 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 deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs Only)** to the credit of Crime No.24 of 2022 before the learned Judicial Magistrate No.I, Karur, at the time of furnishing sureties.

[c] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.



[f] On breach of any of the aforesaid conditions, the 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
20/06/2023

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

LS

To

1.The Judicial Magistrate No.I,  
Karur.

2.Do through the Chief Judicial Magistrate,  
Karur District.

3.The Inspector of Police,  
District Crime Branch,  
Karur District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SUBASH LAW OFFICE, Advocate ( SR-9302[I] dated  
21/06/2023 )

ORDER  
IN  
CRL OP(MD) No.10941 of 2023  
Date :20/06/2023

ED/VR/SAR- (23/06/2023) 3P 6C