



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

WEB COPY

PRESENT

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

CRL OP(MD). No.11833 of 2023

M.Balamurugan,

... Petitioner/Accused No.1

Vs

The state rep.by
The Inspector of Police,
District Crime Branch,
Dindigul,
Dindigul District.
(Crime No.21 of 2021)

... Respondent/Complainant

For Petitioner : Mr. Sundar R,
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2021 on the file of the Respondent Police.

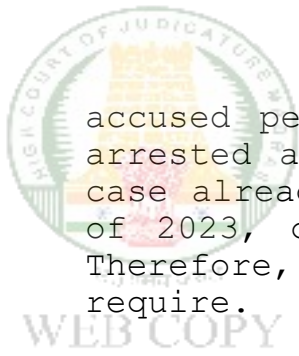
ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 466 I.P.C. in Crime No. 21 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has cheated Rs.5,50,000/- with a false promise to get job in BSNL.

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

4. It is seen that totally there are four accused, in which, the petitioner herein is arrayed as A1. The other accused had collected Rs.17,00,000/- from the victims, in order to get job and thereafter, they failed to get any job and return money. insofar as the petitioner herein is concerned, he only introduced the other



accused persons to the defacto complainant. Now, A2 and A3 are arrested and released on bail. That apart, investigation in this case already completed and the same was taken on file as C.C.No.108 of 2023, on the file of the Judicial Magistrate No.II, Dindigul. Therefore, custodial interrogation of the petitioner does not require.

5. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

6. 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 trial Court daily at 10.30 am., for a period of two weeks and thereafter on all hearing dates.

[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/-

30/06/2023

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/07/2023

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

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TO

1. THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

2. DO THROUGH, THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.

3. THE INSPECTOR OF POLICE,
DISTRICT POLICE OFFICE,
DINDIGUL DISTRICT.

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

+1. CC TO SUNDAR R ADVOCATE SR.NO.10029, DT.03/06/2023.

ORDER

IN

CRL OP(MD) No.11833 of 2023

Date :30/06/2023

SI(06.07.2023)3P/ 6C