



CRL OP(MD). No.13119 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13119 of 2023

A.Arumugam

... Petitioner/ Accused No.2

Vs

The State rep.by,  
The Sub Inspector of Police,  
Thuvarankurichi Police Station,  
Trichy District.  
(Crime No.168 of 2023).

... Respondent/Complainant

For Petitioner : M/s. Karthick.M,  
Advocate.

For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no.168 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 294(b) and 506(i) of IPC



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in Crime No.168 of 2023, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner along with his brother, canvassed the defacto complainant through facebook that they are conducting EMPIRE OVERSEAS CONSULTANT, send the people, who seeking employment in abroad, through their agency. Believing their words, the defacto complainant along with his family members contacted the accused persons. They asked Rs.5,00,000/- to send him to abroad. Accordingly, he sent the above said amount through phone pay and account transfer on various dates. They gave fake sealed visa and appointment order to the defacto complainant. But, later he came to know that they are fake documents. Hence, he approached the first accused. He sought time to settle the amount. Since it was not returned, he again asked the first accused. He replied that the amount will be settled by his brother, the second accused herein. But, so far it was not returned to the defacto complainant. Hence, the complaint.

3. When the matter was taken up for hearing on 28.07.2023, it was informed to the Court that out of the above said money, he purchased the property in the name of the petitioner. On that ground he was directed to appear before the respondent and produce the documents. The matter again posted today.

<https://www.mhc.tn.gov.in/judis>



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4.The learned counsel for the petitioner would submit that the petitioner appeared before the respondent. The respondent would submit that in so far as the above said issue of money is concerned, the petitioner is not involved. But, it was alleged that when the defacto complainant went to the house of the first accused and made enquiry with regard to the money, this petitioner was also alleged to be present in that place and criminally intimidated.

5.Considering the limited overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Manapparai, Trichy, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
10/08/2023

/ TRUE COPY /

/08/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

tm

TO

1.THE JUDICIAL MAGISTRATE NO.I,  
MANAPPARAI, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY.

3.THE SUB INSPECTOR OF POLICE,  
THUVARANKURICHI POLICE STATION,  
TRICHY DISTRICT.

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



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WEB CNDM +1. CC to M/S. KARTHICK.M Advocate SR.No.38580(f)

ORDER  
IN  
CRL OP(MD) No.13119 of 2023  
Date :10/08/2023

RK/VR (18/08/2023) 5P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023