



WEB COPY

CRL OP(MD)N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.03.2023

PRESENT

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

CRL OP(MD)No.17909 of 2022

Dineshkumar

... Petitioner/Accused No.1

Vs

The State rep by
The Sub-Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.23 of 2022)

... Respondent/Complainant

For Petitioner : Mr.B.Muneeswaran, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.23 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

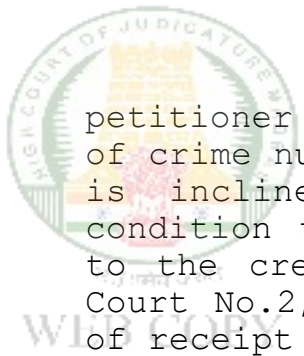
The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 120B IPC in Crime No.23 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons received huge amount by giving false promise of getting job in abroad and thereafter, failed to do so. Hence, the case.

3.Heard and perused the materials available in the records.

4.It is seen that there are totally seven accused in this case and the petitioner is arrayed as A1. Insofar as the petitioner is concerned, he received Rs.2,45,000/- from two victims and the

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petitioner is ready and willing to deposit the amount to the credit of crime number without prejudice to his defence. Hence, this court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.2,50,000/- to the credit of Cr.No.23 of 2022 before the Judicial Magistrate Court No.2, Sivagangai, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition for anticipatory bail petition stand dismissed automatically.

5. 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 learned Judicial Magistrate Court No.2, Sivagangai 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 four 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].

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

sd/-
13/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1 THE JUDICIAL MAGISTRATE NO.II
SIVAGANGAI

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.MUNEESWARAN, Advocate (SR-4210[I] dated 15/03/2023)

ORDER

IN

CRL OP(MD) No.17909 of 2022

Date :13/03/2023

PKP/CG/SAR-1/24.03.2023/ **3P/6C**