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

Date : 17/04/2023

PRESENT

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

CRL OP(MD). No.20705 of 2022

Panneerselvam

... Petitioner/Accused No.1

Vs

The State rep.by,  
The Inspector of Police,  
District Crime Branch,  
Thanjavur District.  
Cr.No.26/2022.

... Respondent/Complainant

For Petitioner : M/s.Andiraj P,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

For Intervenor : Mr.D.Balamurugapandi, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.26/2022 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 120(b), 294(b), 406, 420 and 506(i) of I.P.C., in Crime No.26 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused had induced the de-facto complainant stated that they will be getting job in the Tamil University for his daughter and had received an amount of Rs.15,00,000/- and thereafter, cheated the de-facto complainant. Hence, the case.



3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioner has cheated the de-facto complainant to the tune of Rs.15,00,000/- for securing Government job. When the matter has been referred before the mediation, the petitioner had settled a sum of Rs.8,00,000/- to the de-facto complainant sofar. In respect of the remaining amount, he has also entered into a memorandum of compromise and also filed a quash petition before this Court and the same is pending.

5.Considering the above facts and circumstances, 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, Thanjavur District, 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 two 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/-  
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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 NO.II, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR @ KUMBAKONAM.

3.THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
THANJAVUR DISTRICT.

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

+1 CC to M/s.A.UTHAYAKUMAR, Advocate ( SR-6023[I] dated 18/04/2023 )

ORDER  
IN  
CRL OP(MD) No.20705 of 2022  
Date :17/04/2023

RK/VR/SAR-2 (27/04/2023) 3P/6C