



CRL OP(MD) No.141 of 2024

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.141 of 2024

PASUMPON MANOKARAN @ MANOKARAN,

... PETITIONER / ACCUSED No.2

Vs

**THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION,
ANDIPATTI,
THENI DISTRICT.
CRIME NO.465 OF 2023.**

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.R.BOOMEERAJAN, Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

**FOR ANTICIPATORY BAIL IN CRIME NO.465 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.**

ORDER : The Court Made the following order :-

**The petitioner/A2, who apprehends arrest at the hands of the respondent
police for the alleged offence punishable under Sections 417 and 420 IPC, in Crime**

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



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No.465 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that A1 in this case received a sum of Rs.3,00,000/- from the defacto complainant for securing a job and thereafter, he failed to secure job and also refused to return the money. The petitioner herein acted as mediator.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has not received any amount from the defacto complainant. Therefore, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that investigation in this case is not yet completed.

5.On bare perusal of FIR reveals that the defacto complainant paid the amount to A1 and the petitioner herein has not received any amount. 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 of receipt of

a copy of this order, before the learned Judicial Magistrate Andipatti, Theni District,

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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 and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall report before the respondent police as and when required;

(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;



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(f)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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

- 1 THE JUDICIAL MAGISTRATE,ANDIPATTI,
THENI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION,
ANDIPATTI,THENI DISTRICT.



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

+1 CC to M/s.PR.BOOMEE RAJAN, Advocate (SR-290[I] dated 08/01/2024)

ORDER

IN

CRL OP(MD) No.141 of 2024

Date :05/01/2024

PKP/DD/SAR- /09.01.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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