



CRL OP(MD) No.184 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.184 of 2024

JEYA

... PETITIONER / ACCUSED No.2

L.MEENAKSHY,

**...INTERVENER/ DEFACTO COMPLAINANT
IN CRL MP(MD)No. 313 of 2024**

Vs

**THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
MADURAI CITY.
CRIME NO.23 OF 2023.**

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.RAAMAKRISHNAN.KA, Advocate

For Respondent : MR.P.KOTTAICHMAY, Govt. Advocate (Crl. Side)

**For Intervenor : MR.HENRI TIPHAGNE, Advocate
in CRL MP(MD)No. 313 of 2024**

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

PRAYER:

**FOR ANTICIPATORY BAIL IN CRIME NO.23 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.**



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ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for the alleged offence under Sections 120(B), 406, 409, 420, 465, 467, 468 and 471 of IPC in Crime No.23 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant approached the first accused to sell her shares in certain companies. Thereafter, she asked the first accused to sell certain properties belonging to her. Accordingly, the defacto complainant executed a general power of attorney in favour of the first accused for a property situated at Coimbatore and based on the power of attorney, the first accused executed a sale deed in favour of the second accused and for the above power of attorney, the defacto complainant has not received any amount from the first accused. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any such offences as alleged by the prosecution. Further, during pendency of this anticipatory bail petition, this matter was amicably settled between the parties.



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4. Recording the submissions made by the learned counsel for the petitioner, I am inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is granted anticipatory bail and he 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 No.I, Madurai, 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;



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(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;

(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/-
12/01/2024

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

INDU
TO

1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.

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



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-724[I] dated 12/01/2024)

ORDER
IN
CRL OP(MD) No.184 of 2024
Date :12/01/2024

PKP/GS/SAR /31.01.2024/ 5P/6 C

Madurai Bench of Madras High Court is issuing certified
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