



CRL OP(MD) No.416 of 2024

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

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.416 of 2024

1 ARUMUGAM

2 ANITHA

3 RAMESHKUMAR

... PETITIONERS/ ACCUSED 1 TO 3

Vs

THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.7/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.MURUGESAN.D.R Advocate

For Respondent : Mr.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.7/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused Nos.1 to 3, who apprehend arrest at the hands
of the respondent police for the alleged offence punishable under Sections 406, 420,



CRL OP(MD) No.416 of 2024

294(b) and 506(i) of I.P.C. in Crime No.07 of 2024, seek anticipatory bail.

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2. The case of the prosecution is that the third petitioner is running a travel agency. The defacto complainant approached the third petitioner for getting a job in abroad. Therefore, the defacto complainant gave an amount of Rs.2.5 Lakhs to the third petitioner as an advance. After receiving the amount, the third petitioner arranged for job and gave work permit to the defacto complainant. But the defacto complainant was not willing to go to abroad and he demanded the petitioners to repay the said amount. But the petitioners refused to repay the said amount and thereafter, the defacto complainant filed a complaint against the petitioners herein.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with the alleged offence. He would further submit that the petitioners are ready to abide by any conditions imposed by this Court. Hence, he prays for anticipatory bail. On instructions, he would further submit that the petitioners on their own volition, are ready to pay the balance amount of Rs.1,50,000/- to the defacto complainant.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the investigation is going on.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are ready to deposit a sum of



CRL OP(MD) No.416 of 2024

Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) to the defacto

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complainant, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 petitioners 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 petitioners are directed to deposit a sum of Rs.1,50,000/-(Rupees One Lakh and Fifty Thousand only) to the credit of Crime No.7 of 2024 before the learned Judicial Magistrate, Pattukottai and on such deposit, the learned Judicial Magistrate shall disburse the same to the defacto



CRL OP(MD) No.416 of 2024

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complainant after obtaining a proper affidavit. In the event of petitioners succeed in the criminal case, the petitioner will be entitled for the refund of the said amount.

(c). 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;

(d).the petitioners shall report before the respondent Police as and when required for interrogation;

(e).the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f).the petitioners shall not abscond either during investigation or trial;

(g).on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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



CRL OP(MD) No.416 of 2024

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Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
10/01/2024

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

TSG

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.D.R.MURUGESAN, Advocate (SR-478[I] dated 10/01/2024)

ORDER IN
CRL OP(MD) No.416 of 2024
Date :10/01/2024

SA/JGB/SAR. /23.01.2024/5P/6C

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