



CRL OP(MD) No.967 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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RAVI

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE  
CCD-III,  
TRICHY.  
(CRIME NO.1/2024)

... Respondent / Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate

For Respondent : Mr.P.Kottaichamy,  
Government Advocate ( CrI. Side)

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO.1/2024 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/Accused Rank Not Known, who apprehends arrest at the  
hands of the respondent police for the alleged offence under Sections 420 of IPC and



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Section 66D of the Information Technology (Amendment) Act, 2008, in Crime No.1  
of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the accused person is running a fake company in the name of 'Surya'. He approached the defacto complainant and stated that if she is deposited the amount, they will give bumper prizes with the deposited amount. On believing his words, the defacto complainant, paid a sum of Rs.24,600/-. After receiving that amount, he failed to distribute the gift and repay the amount and cheated the complainant. Thereby, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is only the employee under A1's Company. The collected amount was sent to A1. Hence, he prayed for granting anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the amount cheated from the defacto complainant was recovered from A1. However, the petitioner cheated the amount of Rs.5,000/- and Rs.51,000/- from other two victims namely, Eswari and Francis. That amount is not yet recovered. Hence, he vehemently, opposed to grant anticipatory bail to the



petitioner.

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5.At this juncture, the learned counsel for the petitioner on instructions, submitted that the petitioner, without prejudice to his rights, is ready to deposit the amount of Rs.5,000/- and Rs.51,000/- by way of demand draft drawn in favour of the said victims and that amount may be disbursed to the victims.

6.Considering the facts and circumstances of the case and also considering the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7.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 No.V, Trichy, 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 petitioner is directed to deposit a sum of Rs.5,000/- (Rupees



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Five Thousand Only) by way of demand draft drawn in favour of the victim namely, Eswari and further deposit a sum of and Rs.51,000/- (Rupees Fifty One Thousand only) by way of demand draft drawn in favour of another victim namely, Francis, without prejudice to his rights and contentions before the trial and on production of proof/acknowledgement, the learned Magistrate shall accept the sureties furnished by the petitioner and entrusted the said Demand Drafts to the above said victims after obtaining proper affidavits from them;

(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 petitioner shall report before the respondent police as and when required for interrogation;

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

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

(g)on breach of any of the aforesaid conditions, the learned



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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;

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

sd/-  
05/02/2024

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/02/2024  
Sub-Assistant Registrar  
(C.S. I / II / III /IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS

To

- 1.The Judicial Magistrate No.V,  
Trichy.
- 2.Do through the Chief Judicial Magistrate,  
Trichy District.
- 3.The Inspector of Police,  
CCD-III,  
Trichy.



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4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.LENINKUMAR, Advocate ( SR-1482[I] dated 06/02/2024 )

ORDER  
IN  
CRL OP(MD) No.967 of 2024  
Date :05/02/2024

ED/ VR /SAR- (13/02/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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