



CRL OP(MD) No.1091 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

CRL OP(MD) No.1091 of 2024

RAJENDRAN

... PETITIONER / ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
NACHIYARPURAM POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.08/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.BALAJI.A Advocate

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

For Intervener : SMA.JINNA, Advocate

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

PRAYER:

FOR ANTICIPATORY BAIL IN CR.NO.08/2024 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

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

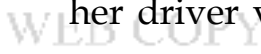


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police for the alleged offence under Sections 420 and 506(i) of IPC, in Crime No.8 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running hotel business in the name of 'Bala Cafe'. One George is the driver of the defacto complainant. Due to land dispute between the said George and the petitioner, the petitioner along with other accused trespassed into the hotel of the defacto complainant and took away her Car and threatened her with dire consequences by demanding Rs.10 lakhs to return the Car. 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 said George and the defacto complainant are in relationship. They executed a sale deed through their power agent namely, Pandi Meenal in favour of one Anandhi Mala, who is the wife of one Vijayakumar and received a sum of Rs.10 lakhs as advance. Thereafter, the said Vijayakumar came to know that the property is a Devasthanam property. When he demanded the advance amount of Rs.10 lakhs from the defacto complainant, she and



6. Accordingly, the petitioner is ordered to be released on bail in the event of



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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, Thirupathur, 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 his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his 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;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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/-
05/02/2024

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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,
THIRUPATHUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
NACHIYARPURAM POLICE STATION,
SIVAGANGAI DISTRICT.



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

+1 CC to M/s.A.BALAJI, Advocate (SR-1418[I] dated 05/02/2024)

ORDER
IN
CRL OP(MD) No.1091 of 2024
Date :05/02/2024

PKP/JGB/SAR /09.02.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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