



CRL OP(MD) No.1463 of 2024

WEB COPY

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

Thursday, the First day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1463 of 2024

KUMARAVEL

... Petitioner / Accused No.3

Vs

THE INSPECTOR OF POLICE
CCB POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.26/2023)

... Respondent / Complainant

For Petitioner : M/s.K.Suyambulinga Bharathi, Advocate

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

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

PRAYER : FOR ANTICIPATORY BAIL IN CR.NO.26/2023 ON THE FILE OF THE
RESPONDENT POLICE.

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 417, 420, 465, 468, 471, 120B of IPC in Crime
No.26 of 2023, seek anticipatory bail.



CRL OP(MD) No.1463 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused persons have cheated the defacto complainant to the tune of Rs.79,10,000/- during the period from 12.10.2022 to 11.01.2023 for the purpose of purchasing lands in favour of the defacto complainant. Since they have miserably failed to remit back the said amount, the defacto complainant has lodged a complaint before the Judicial Magistrate No.I, Tirunelveli under Section 156(3) Cr.P.C. Based on the order dated 24.11.2023 passed by the Judicial Magistrate, the respondent police has registered the case.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offences as alleged by the prosecution and he has been falsely implicated in this case. Further he would submit that the co-accused were enlarged on anticipatory bail by this Court by the order dated 14.12.2023. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the co-accused were enlarged on anticipatory bail by this Court by the order, dated 14.12.2023 and investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused were granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.



CRL OP(MD) No.1463 of 2024

WEB COPY

6. 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, Tirunelveli, 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 daily at 10.30 a.m., for a period of two weeks and thereafter, he shall appear before the respondent Police as and when required;

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



CRL OP(MD) No.1463 of 2024

(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/-
01/02/2024

/ TRUE COPY /

/02/2024
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,
Tirunelveli.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.



CRL OP(MD) No.1463 of 2024

3.The Inspector of Police,
CCB Police Station,
Tirunelveli District.

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

+1CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate, SR.No.1397(I), dated
05/02/2024

ORDER
IN
CRL OP(MD) No.1463 of 2024
Date :01/02/2024

ED/ GS /SAR- (08/02/2024) 5P / 6C

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