



CRL OP(MD) No.2585 of 2024

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

Tuesday, the Twentieth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2585 of 2024

KANDARAJ

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI CITY.
(FIR NO.746/2023)

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.R.MURUGAPPAN, Advocate

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

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.746 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent



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police for the alleged offence punishable under Sections 406 and 420 IPC in Crime No.746 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons received a sum of Rs.1,50,000/- from the defacto complainant for securing a government job. Thereafter, they failed to arrange the job and also refused to return the money. 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 offence as alleged by the prosecution. He would further submit that the petitioner herein only introduced A1 to the defacto complainant and the petitioner did not receive any amount from the defacto complainant and A1 only received the amount. Accordingly, he prayed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the investigation in this case is not yet completed.

5.Considering the facts and circumstances of the case and also considering the fact that there is no money transaction between the petitioner and the defacto complainant, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. It is made clear that the benefit of anticipatory bail now granted to

the petitioner, will not apply to A1 in this case.

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



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6. 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 Judicial Magistrate No.6, Madurai, Madurai District 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., two weeks and thereafter, 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;



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(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/-
20/02/2024

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

GNS

TO

- 1 THE JUDICIAL MAGISTRATE NO.6
MADURAI,MADURAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-2197[I] dated 21/02/2024)

ORDER
IN
CRL OP(MD) No.2585 of 2024
Date :20/02/2024

PKP/VR/SAR /28.02.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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