



CRL OP(MD) No.3105 of 2024

WEB COPY

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

Wednesday, the Twenty Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3105 of 2024

1 BHUVANA

2 SIVADHANUMALAIYAN

... Petitioners / Accused No.1 & 2

Vs

THE INSPECTOR OF POLICE
THIRUVERAMBER POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.539/2023)

... Respondent / Complainant

For Petitioners : M/s.A.Banumathy, 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. 539/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police
for the alleged offence under Sections 420, 467, 471, 506(ii) IPC, in Crime No.539 of



CRL OP(MD) No.3105 of 2024

2023, seek anticipatory bail.

WEB COPY

2.The case of the prosecution is that the petitioners are running a consultancy regarding online trading and they approached the defacto complainant for investigation some amount and get profit. So that, the defacto complainant invested Rs.8,00,000/- to the petitioners' company, for which, the petitioners gave a cheque bearing No.469432, dated 15.02.2020, later it was returned as insufficient fund and thereby, they cheated the defacto complainant. Hence, the defacto complainant filed a complaint under Section 156(3) and 196 r/w. 200 of Cr.P.C., before the learned Judicial Magistrate No.VI, Trichy, and the same was ordered to register a case against the petitioners. Thereafter, the daughter of the defacto complainant filed a cheque case against the petitioners in S.T.C.No.6026 of 2023 before the learned Judicial Magistrate No.VI, Trichy, and the same was pending. Hence, the present complaint has been registered.

3. The learned counsel appearing for the petitioners would submit that that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Further, it is a money dispute between the parties. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that investigation is pending.



CRL OP(MD) No.3105 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and also considering the fact that it is the money dispute between the parties and already the defacto complainant's daughter filed a cheque case against the petitioners in S.T.C.No.6026 of 2023 before the learned Judicial Magistrate No.VI, Trichy, and the same was pending, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are is 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 Special Judicial Magistrate No.VI, Trichy, 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 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;



CRL OP(MD) No.3105 of 2024

WEB COPY

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

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

(e)the petitioners 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 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 Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
28/02/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU



CRL OP(MD) No.3105 of 2024

To

WEB COPY

1.The Judicial Magistrate No.VI,
Trichy.

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

3.The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-2554[I] dated 29/02/2024)

ORDER
IN

CRL OP(MD) No.3105 of 2024

Date :28/02/2024

ED/ GS /SAR- (07/03/2024) 5P / 6C

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