



CRL OP(MD) No.4800 of 2024

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

Wednesday, the Twenty Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4800 of 2024

1 S.NALINI

2 SENTHIL

... PETITIONERS / ACCUSED RANK 1 & 2

Vs

THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
CR.NO.41/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SARAVANAN.P Advocate

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

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.41/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent
police for the alleged offence under Sections 420 and 506(ii) of IPC in Cr.No.41 of

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



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2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners received a sum of Rs.1,90,000/- from the defacto complainant by giving false promise to secure a job and thereafter, he failed to secure the job and refused to return the said amount. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that out of Rs.1,90,000/-, Rs.20,000/- was already paid to the defacto complainant. However, on instructions, he further submitted that the petitioners, without prejudice to their rights, are ready and willing to deposit a sum of Rs.1,00,000/- to the de-facto complainant directly by way of demand draft and the balance amount of Rs.70,000/- will be paid to the credit of crime No.41 of 2024 before the concerned Magistrate within a period of four weeks and hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) submitted that the investigation is pending and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners are



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ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Dindigul, 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 four weeks from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(*) “(b)(i) As per the undertaking given by the petitioners, the petitioners are directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) by way of demand draft drawn in favour of the de-facto complainant within a period of two weeks from the date of receipt of a copy of this order, while executing the sureties then and without prejudice to their rights and contentions and also produce the same before the concerned Court. Thereafter, the learned Magistrate shall handover the said demand draft to the de-facto complainant directly;

(ii) Further, the petitioners are directed to deposit the balance amount of

Rs.70,000/- (Rupees Seventy Thousand only) to the credit of Crime No.41 of 2024

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before the learned Judicial Magistrate No.III, Dindigul, within a period of four weeks thereafter and on such deposit, the learned Magistrate shall disburse the same to the the defacto complainant after obtaining a proper affidavit."

(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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

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

(g)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;



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

sd/-
27/03/2024

(*)FOR BEING MENTIONED AS PER ORDER
OF THIS HON'BLE COURT DT.24/04/2023
IN CRL.OP(MD).4800/2024.

/ TRUE COPY /

/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

TO BE SUBSTITUTED WITH THE ORDER DT. 27/03/2023 ALREADEY DESPATCHED

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

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



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+1 cc to Mr.P.SARAVANAN, Advocate, SR.No.15866 (I) DT.27/03/2024

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ORDER

IN

CRL OP(MD) No.4800 of 2024

Date :27/03/2024

SA/VR/SAR. /10.04.2024/6P/6C

PKP/GS/SAR /24.05.2024/ 6P/ 6C

Madurai Bench of Madras High Court is issuing certified
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