



CRL OP(MD) No.5051 of 2024

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

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5051 of 2024

AYYAPPAN

... PETITIONER/ ACCUSED

Vs

THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.458/2020).

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.BALAMURUGANANTHAM Advocate

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

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

Prayer in CRL OP(MD). 5051/ 2024 :

To enlarge the petitioner on bail in the event of arrest on surrender in Crime No.458/2020 on the file of the Respondent Police in CC No.326/2023 on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District.

ORDER : The Court Made the following order :-

The petitioner / Accused, who is facing trial in C.C.No.326 of 2023 on the file of



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the learned Judicial Magistrate, Paramakudi, Ramanathapuram District for the alleged offence punishable under Sections 420, 406, 294(b) and 506(i) I.P.C., seeks anticipatory bail.

2. The case of the prosecution is that the accused received a sum of Rs.7,50,000/- from the victim on the false promise that he would arrange employment to his son-in-law in the Government Department. Thereafter, he failed to arrange a job and refused to return the said amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person and hence, he prays for allowing this petition.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the respondent Police has conducted investigation in Crime No.458 of 2020 and on completion of investigation, charge sheet in C.C.No.326 of 2023 has been filed before the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District and he would further submit that absconding charge sheet has also been filed before the concerned Court.



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5. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is ready to surrender before the trial Court. Hence, this Court may permit the petitioner to file an application under Section 88 of Cr.P.C. before the trial Court.

6. Considering the facts and circumstances and also considering the fact that the investigation has been completed and charge sheet is filed before the concerned Court and also considering the fact that there is no apprehension of arrest, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands disposed of. However, this Court permits the petitioner to file an application under Section 88 of Cr.P.C. before the learned Judicial Magistrate, Paramakudi, Ramanathapuram District. On filing of such petition, the concerned Judge is directed to consider the said petition on merits and pass orders on the same day.

sd/-
28/03/2024

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/04/2024

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

TSG

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



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TO

WITNESSETH

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-3941[I] dated
28/03/2024)

ORDER IN
CRL OP(MD) No.5051 of 2024
Date :28/03/2024

RK/GS (05/04/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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