



CRL OP(MD). No.5395 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5395 of 2024

1.K.Saravanan

2.T.Sangeetha

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
in Crime No.134/2024

... Respondent

For Petitioners : Mr.A.Ganesan
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.134/2024 on the file of the Respondent Police.

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



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 420 and 506(ii) of IPC in Crime No.134 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The petitioners are the husband and wife and they are working as Teachers in the Government School. They have collected a sum of rs.6,00,000/- lakhs from the defacto complainant by giving assurance that they will secure a job for him, they failed in their promise and also has not returned the amount.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. He further submits that initially, the defacto complainant gave a complaint to the respondent police in the year 2016 and the respondent police refused to register the FIR as no Prima facie has been made out. Therefore, the defacto complainant filed a petition under Section 156(3) of Cr.P.C before the learned Judicial Magistrate No.I, Usilampatti and the same was allowed. Subsequently, the present case was registered.



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4.The learned Additional Public Prosecutor submits that no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and also the fact that no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this criminal original petition is allowed and the petitioners are 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 Judicial Magistrate No.I, Usilampatti, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Usilampatti, and on further conditions that:

- i. The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioners shall appear before the respondent police as and



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when required by the respondent police. They have to co-operate for the investigation.

iii. The petitioners shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.

iv. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
08/04/2024

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/05/2024

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

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TO

1. THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3.THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.A.GANESAN, Advocate (SR-4251[I] dated 08/04/2024)

ORDER
IN
CRL OP(MD) No.5395 of 2024
Date :08/04/2024

RK/GS (08/05/2024) 5P / 6C

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