



CRL OP(MD). No.5352 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5352 of 2024

Deepak Kumar,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Bodinayakkanur Town Police Station,
Bodinayakkanur,
Theni District.
Cr.No.49/2024.

... Respondent/ Complainant

For Petitioner : M/s.Vinayagan.K,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.49/2024 on the file of the respondent police.



CRL OP(MD). No.5352 of 2024

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ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police in connection with Crime No.49 of 2024 for the offence under Sections 406 and 420 of IPC, has filed this petition.

2.The case of the prosecution is that A1 received a sum of Rs.6,50,000/- from the defacto complainant for executing a sale agreement and in that case, the petitioner signed as a witness. However, they have neither executed a sale deed nor returned the amount. Hence, the case.

3.The case of the petitioner is that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor strongly opposes the grant of anticipatory bail stating that the investigation is yet to be completed.

5.Considering the facts and circumstances of this case and also considering the nature of allegations, this Court is inclined to grant anticipatory bail to the

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



CRL OP(MD). No.5352 of 2024

petitioners.

6. Accordingly, this criminal original petition is allowed and 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 Court, Bodinayakkanur, on condition that the petitioner 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 Judicial Magistrate Court, Bodinayakkanur and on further conditions that:

- i. The petitioner 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 petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.



CRL OP(MD). No.5352 of 2024

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

sd/-
05/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
BODINAYAKKANUR TOWN POLICE STATION,
BODINAYAKKANUR, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CRL OP(MD). No.5352 of 2024

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+1 CC to M/s.K.VINAYAGAN, Advocate (SR-4221[I] dated 05/04/2024)

ORDER
IN
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Date :05/04/2024

PKP/VR/SAR /12.04.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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