



CRL OP(MD). No.5456 of 2024

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

Date : 10/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5456 of 2024

M.ThaiBa Banu

... Petitioner / Accused No.2

Vs

The Inspector of Police,  
District Crime Branch(DCB),  
Madurai District.  
(Crime No.16 of 2022).

... Respondent/Complainant

For Petitioner : Mr.I Pinaygash, 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.16 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 and 506(1) of IPC in Crime No.16 of 2022 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that on 04.08.2020, the first accused and his wife, who is the petitioner herein, approached the defacto complainant and requested to provide textile goods for selling and they will return the money after selling the cloths within a month. Believing their words, he provided the goods to the accused. However, the accused did not repay the money and also threatened him with dire consequences.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in any offence as alleged by the prosecution and she has been falsely implicated in this case.

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

5.Considering the nature of offence that it is only a business transaction, this Court is inclined to grant anticipatory bail to the petitioner.

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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No-I, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two



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sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No-

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I, Madurai 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 as and when required.
- iii. The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.
- 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/-  
10/04/2024

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



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To

- 1.The Judicial Magistrate No.I,  
Madurai.
- 2.Do through the Chief Judicial Magistrate,  
Madurai District.
- 3.The Inspector of Police,  
District Crime Branch (DCB),  
Madurai District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.I.PINAYGASH, Advocate ( SR-4361[I] dated 12/04/2024 )

ORDER

IN

CRL OP(MD) No.5456 of 2024

Date :10/04/2024

ED/ JGB /SAR- (16/04/2024) 4P / 6C

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