



CRL OP(MD). No.7163 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/05/2024

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

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Sasikumar

... Petitioner/ A1

Vs

The Inspector of Police,
Manikandam Police Station,
Trichy District.
Crime No.186 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.S.Vishnuvardhan,
Advocate.
For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.186 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 406 IPC in Crime No.186 of



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2023, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner received a sum of Rs.59,73,000/- from the defacto complainant for securing job in abroad. However, he failed to secure the job to the defacto complainant and also refused to repay the amount received from him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4. He would further submit that the petitioner has re-paid the entire amount to the defacto complainant, for which the petitioner has obtained a receipt from the defacto complainant. Moreover, the co-accused/A.2 has already been arrested and released on bail by the learned Judicial Magistrate No.IV, Trichy in Crl.M.P.No.296 of 2024.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police fairly concedes that the petitioner has re-paid the entire amount to the defacto complainant.

6. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has re-paid the entire amount to the defacto complainant and the co-accused/A.2 was granted bail in Crl.M.P.No.296 of 2024 by the learned



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Judicial Magistrate No.IV, Trichy, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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7. Accordingly, 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 learned Judicial Magistrate No.IV, Trichy on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by



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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].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
15/05/2024

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

MM
TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
MANIKANDAM POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.K.SUYAMBULINGABHARATHI, Advocate (SR-5478[I] dated 16/05/2024)



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ORDER

IN

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Date :15/05/2024

RS/GS/SAR-(21.05.2024) 5P 6C

Madurai Bench of Madras High Court is issuing
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