



CRL OP(MD). No.7218 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

CRL OP(MD). No.7218 of 2024

Manokaran

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Dindigul North Police Station,
Dindigul Town.
(Crime No.624/2023)

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar, 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.624/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417 and 420 IPC, in Crime No.624 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lent his JCB vehicle, bearing Reg.No.TN 57 BA 9338 to one Kumar on monthly rent basis.

However, the said Kumar with the help of the petitioner sold the above vehicle to one



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Balamurugan. Hence, the complaint.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is only a Mediator and there is no overt act attributed against the petitioner. He would further submit that the petitioner's name is not found in the FIR.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the vehicle has already been recovered and produced before the concerned Magistrate. He would further submit that summon has been issued to the A.1 for appearance.

5. Taking into consideration the facts and circumstances of the case that the vehicle has already been recovered and produced before the concerned Magistrate and also the facts that the evidences are based on the documents, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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.II, Dindigul, 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:



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[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 30 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 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.



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TO

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1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE, DINDIGUL NORTH POLICE STATION,
DINDIGUL TOWN.

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

ORDER

IN

CRL OP(MD) No.7218 of 2024

Date :15/05/2024

RS/GS/SAR-(21.05.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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