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CRL OP(MD). No.7249 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.7249 of 2024

Rasel Raj,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Karungal Police Station
Kanyakumari District.
Cr.No.83/2024

... Respondent/Complainant

P.Rajan

... Petitioner/Intervenor/Defacto Complainant
in CrI.MP(MD).5584/2024 in CrI.OP(MD).7249/2024

For Petitioner : M/s. Sargunam B,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.C.T.Perumal, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.83 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 420, 468, 294(b), 506(i) of I.P.C., in Crime No.83 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on promising to get a private or Central

<https://www.mhc.trngov.in/judis>



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Government job to the defacto complainant, the petitioner and other accused have received a sum of Rs.18,00,000/- and subsequently, cheated the defacto complainant.

Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submits that to show his bonafide, he is ready to deposit the amount to the credit of Crime No.83 of 2024 without prejudice to his case.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner and other accused have received a sum of Rs.18,00,000/- and also issued fake appointment order and thereby cheated the defacto complainant. He further submits that the investigation of the case is pending and hence, he strongly objected to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of allegations made against the petitioner, 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 his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the



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concerned learned Judicial Magistrate, on condition that

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(i) the petitioner executes a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate, Eraniel, Kanyakumari District;

(ii) 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;

(iii) the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.83 of 2024 before the Judicial Magistrate, Eraniel, Kanyakumari District, without prejudice his case and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

(iv) The petitioner shall appear before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required by the respondent police. He has to co-operate for the investigation.

(v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.



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(vi) 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/-
04/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-7525[I] dated 05/07/2024)



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ORDER
IN
CRL OP(MD) No.7249 of 2024
Date :04/07/2024

SA/GS/SAR. /19.07.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.