



CRL OP(MD)No.7429 of 2024

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

Date : 22.05.2024

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY
CRL OP(MD)No.7429 of 2024

1.S.Veerabahu
2.S.Sonachalam

... 1st Petitioner/Sole Accused

... 2nd Petitioner/ Accused Rank Not Known
Vs

The Inspector of Police,
District Crime Branch,
Virudhunagar.
(Crime No.3 of 2024)

... Respondent/Complainant

For Petitioners	:	Mr.N.Shanmuga Selvam, Advocate
For Respondent	:	Mr.A.Thiruvadikumar Additional Public Prosecutor
For Defacto Complainant	:	Mr.R.Karunanidhi, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No. 3 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one Sankarasubramanian introduced the 1st petitioner to the defacto complainant and through him he has given a loan of Rs.30,00,000/- to the petitioners in the year 2011 for their business purpose and they



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have not repaid the said amount. Hence, the complaint.

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3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. It is submitted by the learned counsel appearing for the petitioners that there is a possibility of amicable settlement between the parties.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is going on and he prays for dismissal of the anticipatory bail application.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.2, Virudhunagar, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners 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.



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[b]the petitioners shall report before the respondent police as and when required for interrogation.

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

[d]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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.

7. The matter is referred to the Mediation and Conciliation Centre, attached to this Bench, for Mediation. The parties are directed to appear before the Mediation and Conciliation Centre, attached to this Bench on 07.06.2024.

sd/-
22/05/2024

/ TRUE COPY /

/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

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.2, VIRUDHUNAGAR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, VIRUDHUNAGAR.

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

COPY TO

THE CHIEF CO-ORDINATOR, MEDIATION & CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. (SOFT COPY)

+1 CC to M/s.N.SHANMUGA SELVAM, Advocate (SR-5722[I] dated 23/05/2024)

ORDER

IN

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Date :22/05/2024

RS/VR/SAR-(23.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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