



Crl.MP(MD) No.5950 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/07/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). Nos.8245 & 8247 of 2024

and

Crl.MP(MD) No.5950 of 2024

CRL OP(MD). No.8245 of 2024:-

R.Sabari Ganesan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,  
CCB Police Station,  
Madurai City,  
Madurai District.  
(Crime No.15/2023).

... Respondent/Complainant

For Petitioner : Mr.S.Karthikeyan, Advocate.  
For Respondent : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)  
For Intervenor : Mr.V.Jeyaram, Advocate

CRL OP(MD). No.8247 of 2024:-

Sakila @ Rahilaparveen

...Petitioner / Accused No.3

Vs

The Inspector of Police,  
CCB Police Station,  
Madurai City,  
Madurai District.



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)Crime No.15 of 2023)

...Respondent/ Complainant

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For Petitioner : Mr. S.Karthikeyan, Advocate.  
For Respondent : Mr.M.Sakthi Kumar,  
Government Advocate (Crl.Side)

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.15/2023 on the file of the Respondent Police

COMMON ORDER : The Court made the following Common Order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 12 B, 406 and 420 of IPC, in Crime No.15 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners/ accused persons are the wife and son of the first accused, the main accused. A1 was working as a driver of District Judge has collected money to the tune of Rs.48 Lakhs that he would arrange job in the Court and failed to do so. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that this is the third application filed by the petitioners, seeking anticipatory bail. He further submits that they have amicably settled the amount to the defacto complainant and they have also claimed that it is only a money dispute, which has been borrowed from the defacto complainant for the purpose of constructing a house, which has



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been given a criminal colour.

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4.The learned counsel for the defacto complainant has agreed with the submission of the learned counsel for the petitioners.

5.Considering the manner, in which, the offence has been committed, this Court has dismissed the earlier applications filed by these petitioners. However, the respondent police for the reasons best known to them have not arrested the petitioners.

6.Since the respondent police has not secured the accused even after the dismissal of the earlier applications and also considering the submission made on behalf of counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners. The Deputy Superintendent of Police shall conduct the investigation in this case.

7.Accordingly, these Criminal Original Petitions are allowed and 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 Judicial Magistrate Court No.I, Madurai on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate.I, Madurai and on further conditions that:



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- i. The petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m and 5.00 p.,m until further orders.
- iii. The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

Consequently, connected Miscellaneous Petition is closed.

sd/-  
25/07/2024

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/08/2024  
Sub-Assistant Registrar  
(C.S.I /II /III /IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

VRN



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To

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1.The Judicial Magistrate No.I,  
Madurai.

2.Do through the Chief Judicial Magistrate,  
Madurai District.

3.The Inspector of Police,  
CCB Police Station,  
Madurai City, Madurai District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+2CC to M/s.S.KARTHIKEYAN, Advocate, SR Nos.37510 & 37511(F), dated  
26.07.2024

ORDER  
IN

CRL OP(MD). Nos.8245 & 8247 of 2024  
and

Crl.MP(MD) No.5950 of 2024

Date :25/07/2024

ED/ JGB /SAR- (05/08/2024) 5P / 7C

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