



CRL OP(MD). No.8460 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2024

PRESENT

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

CRL OP(MD). No.8460 of 2024

Vava Mohaideen,

... Petitioner/ Accused 4

Vs

The Inspector of Police,
District Crime Branch,
Tenkasi District.
(Crime No.2/2024).

... Respondent/Complainant

For Petitioner : Mr.S.Ananth,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.2/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police in connection with Crime No.02 of 2024 for the offence under Sections 120B and 420 of IPC, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the petitioner, who is the husband of the defacto complainant, along with other accused are said to have received a sum of

Rs.89,00,000/- from the defacto complainant to rectify certain corrections in the gift

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



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deed and thereafter, they cheated the defacto complainant.

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3.The learned counsel for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent police opposes for grant of anticipatory bail on the ground that the investigation is yet to be completed. He further submits that co-accused in this case were already granted anticipatory bail in Crl.O.P.(MD)No.4797 of 2024 on 07.06.2024.

5. It is seen that though certain money has been transferred to the accused name through the bank, the investigation officer has not collected the exact details about the money that has been received by the petitioner and the reasons for transferring the money.

6.Considering the facts and circumstances of the case, the manner in which the investigation is conducted and also considering the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioner .

7.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 learned Judicial Magistrate No.1, Tirunelveli, on condition that the petitioner shall



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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 Magistrate concerned and on further conditions that:

(i) 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;

(ii) The petitioner shall appear before the respondent police daily at 10.30 am until further orders. He has to co-operate for the investigation.

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

(iv) 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/-
01/07/2024

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



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LS

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI.

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

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

+1 CC to M/s.S.ANANTH, Advocate (SR-7310[I] dated 03/07/2024)

ORDER IN

CRL OP(MD) No.8460 of 2024

Date :01/07/2024

SA/VR/SAR. /10.07.2024/4P/6C

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