



CRL OP(MD). No.8533 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2024

PRESENT

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

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Manivannan,

... Petitioner

Vs

The Inspector of Police,
Mannachanallur Police Station,
Tiruchirapalli District.
Cr.No.92/2024.

... Respondent

For Petitioner : Mr.A.Azhageson
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.92 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



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police for the offences punishable under Section 420 IPC in Cr.No.92 of 2024, seeks
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anticipatory bail.

2.The case of the prosecution is that based on the assurance given by the petitioner for getting a job in the Government Department, the defacto complainant has collected a sum of Rs.15,80,500/- from 12 persons and paid the same to the petitioner. But, after receiving the money, the petitioner neither arranged the job nor returned the money. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is ready and willing to deposit a sum of Rs.3,00,000/- to the credit of Crime Number before the concerned Court to show his bonafide and seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that it is a case of job racketing and the petitioner herein has received a sum of Rs.6,20,000/- from the defacto complainant and one of the main accused is still absconding. He would further submit that the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.



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5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready and willing to deposit a sum of Rs.3,00,000/-, 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 his appearance, within a period of three weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tiruchirapalli on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of Crime No.92 of 2024 on the file of the Judicial Magistrate concerned, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;



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(b) 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 Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 am until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 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]*; and;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
03/07/2024

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

TRP
TO

1 THE JUDICIAL MAGISTRATE NO.III
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE
MANNACHANALLUR POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.

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

+1 CC to M/s.A.AZHAGESON, Advocate (SR-7419[I] dated 04/07/2024)

ORDER
IN

CRL OP(MD) No.8533 of 2024

Date :03/07/2024

SS/VR/SAR- /12/07/2024/5P/6C

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