



CRL OP(MD). No.9939 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

CRL OP(MD). No.9939 of 2024

M.Murugan

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Pettai Police Station,
Tirunelveli District,
Crime No.550/2023

... Respondent/Complainant

For Petitioner : Mr.C.Venkatesh, Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.550/2023 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 409, 417 and 420 of IPC, in Cr.No.550 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused pledged the fake gold jewels in the defacto complainant's bank and received the amount. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an



CRL OP(MD). No.9939 of 2024

innocent person and a false case foisted against the petitioner and he has not committed any offence as alleged by the prosecution. He further submits that the co-accused was released on anticipatory bail by the learned Principal Sessions Judge, Tirunelveli in Crl.M.P.No.17684 of 2023 dated 05.10.2024. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submits that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also grant of anticipatory bail to the co-accused, 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Tirunelveli, 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 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



CRL OP(MD). No.9939 of 2024

card or Bank pass Book to ensure their identity;

WEB COPY

(b)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

(d)the petitioner 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 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;

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

sd/-

12/07/2024

/ TRUE COPY /

/07/2024

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

TTA



CRL OP(MD). No.9939 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECTOR OF POLICE, PETTAI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.9939 of 2024

Date :12/07/2024

RS/JGB/SAR-(26.07.2024) 4P 5C

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