



CRL OP(MD). No.10058 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.10058 of 2024

1. Yogaraj

2. Y.Vasantha

... Petitioners/ Accused Rank not known

Vs

The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

Cr.No.Not Known of 2024.

... Respondent/ Complainant

For Petitioners: M/s.Ranjith.N,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.Not Known of 2024 on the file of the Respondent police.

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



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ORDER : The Court made the following order :-

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The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 420 of IPC, in Crime No. Not Known of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners received a sum of Rs.1,00,000/- from the defacto complainant. Thereafter, they have failed to repay the same. Thereby, they cheated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that this case is at CSR stage and FIR is yet to be registered.

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



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6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Aruppukkottai, Virudhunagar District, 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am until further orders;

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

(d) the petitioners shall not abscond either during investigation or trial;



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(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 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 abscond, a fresh FIR can be registered under Section 229-A IPC;

sd/-
22/07/2024

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

dss

TO

1. The Judicial Magistrate , Aruppukkottai, Virudhunagar District,
2. Do-Through The Chief Judicial Magistrate,
Virudhunagar District @ Srivilliputhur.
3. The Inspector of Police,
Aruppukkottai Town Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN

CRL OP(MD) No.10058 of 2024

Date :22/07/2024

RK/GS(30/07/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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