



CRL OP(MD). No.10335 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.10335 of 2024

Thirumalaimuthu,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thirupalai Police Station, Madurai,
Crime No. 684/2024.

... Respondent/Complainant

Banumathi

... Intervener/ Defacto Complainant
in Crl.M.P(MD)No.7368 of 2024

For Petitioner : Mr.Karuna.V, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervener : Mr.S.Mahendra Pathy,Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 684 of 2024 on the file of the respondent
Police.



CRL OP(MD). No.10335 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 294(b), 406, 420 and 506(i) of IPC in Crime No.684 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused person received a sum of Rs.15,00,000/- for the purpose of doing real estate business. Thereafter, he returned back only a sum of Rs.3,00,000/- and the balance amount of Rs.12,00,000/- was not paid and the defacto complainant was cheated. The matter was referred for mediation and the defacto complainant was able to pay a further sum of Rs.2,00,000/-. Since the balance amount was not paid, the matter has been referred back to the Court.

3. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent Police and the learned counsel appearing for the intervener.

4. Taking into consideration the facts and circumstances of the case and considering the fact that there was a money transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioner subject to the following condition.



CRL OP(MD). No.10335 of 2024

WEB COPY

5. Accordingly, the petitioner is ordered to be released on anticipatory 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.II, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[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;



CRL OP(MD). No.10335 of 2024

[f] if the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS 2023.

sd/-
02/12/2024

/ TRUE COPY /

/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE
NO.II, MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
THIRUPALAI POLICE STATION, MADURAI,

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

+1 CC to M/s.V.KARUNA, Advocate (SR-14806[I] dated 02/12/2024)

ORDER
IN
CRL OP(MD) No.10335 of 2024
Date :02/12/2024



CRL OP(MD). No.10335 of 2024

PSP/ VR /SAR /11.12.2024/ 5P/ 6C

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