



CRL OP(MD). No.10365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. E.Palanimuthu

2. Revathy @ Revathi

3. Logesh Ragul @ Lokess Rakul

... Petitioners/ Accused 1 to 3

Vs

The Inspector of Police,
Allinagaram Police Station,
Allinagaram,
Theni District.
Crime No. 207/2024.

... Respondent/Complainant

For Petitioner : M/s. Thangaraj.S,

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

For Intervener : Mr.H.Thayumanaswamy, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 207 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, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 406, 420 and 506(i) IPC in Crime No.207 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners approached the defacto complainant and expressed their willingness to sell the property. Accordingly, the defacto complainant paid an advance amount of Rs.35 lakhs. After having received the amount, the sale deed was not executed and the amount was also not repaid.

3.Considering the facts of the case, parties were referred to the Mediation Centre. The Mediation Report has been received to the effect that the parties were not able to reach a settlement.

4.The learned counsel for the petitioners submitted that the defacto complainant and the petitioners have reached a settlement and settlement deed was executed on 10.08.2024 and the defacto complainant agreed to withdraw the case.

5.The learned counsel for the defacto complainant submitted that as on today, a total sum of Rs.18,75,000/- is due and payable and what was paid is only a sum of Rs.16,25,000/-.

6.Heard the learned counsel appearing for the petitioner, learned counsel



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for the defacto complainant and the learned Government Advocate (Crl.Side) appearing for the respondent.

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7.Taking into consideration of the facts and circumstances of the case and considering the nature of dispute between the parties, this Court is inclined to grant to grant anticipatory bail to the petitioners.

8.Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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



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their identity.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 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;

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

sd/-
04/12/2024

/ TRUE COPY /

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



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PNM

TO

1 THE JUDICIAL MAGISTRATE,
THENI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
ALLINAGARAM,
THENI DISTRICT.

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

+1 CC to M/s.S.THANGARAJ, Advocate (SR-14967[I] dated 05/12/2024)

ORDER
IN

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Date :04/12/2024

SA/GSV/SAR. /11.12.2024/5P/6C

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