



CRL OP(MD). No.10481 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2024

PRESENT

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

CRL OP(MD). No.10481 of 2024

1. Muthaiya

2. Karpagam

3. Vasanthakumar

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Sellur Police Station,
Madurai City,
Crime No.594/2024..

... Respondent/ Complainant

For Petitioners : M/s.Bharath.R,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.594/2024 on the file of the respondent Police.



CRL OP(MD). No.10481 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No.594 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have received the amount from the defacto complainant as per the agreement entered into between them, but, the petitioners neither repay the amount nor completed the work, thereby, 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.

4.The learned Additional Public prosecutor would submit that there was a civil dispute between the parties and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that it is a case of civil in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.10481 of 2024

WEB COPY

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 learned Judicial Magistrate No.II, Madurai, 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 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 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 as and when required for interrogation;

(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;

(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



CRL OP(MD). No.10481 of 2024

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/-
15/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI CITY,

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

+1 CC to M/s.R.BHARATH, Advocate (SR-7919[I] dated 15/07/2024)



WEB COPY



CRL OP(MD). No.10481 of 2024

ORDER

IN

CRL OP(MD) No.10481 of 2024

Date :15/07/2024

RK/JGB (31/07/2024) 5P / 6C

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