



CRL OP(MD). No.10513 of 2024

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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.10513 of 2024

Rajendran,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sivagangai District Crime Branch,
Sivagangai.
Cr.No.14/2024.

... Respondent/Complainant

For Petitioner : M/s.Jeyakarthik.M.S.,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 14/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of IPC, in

Cr.No.14 of 2024, seeks anticipatory bail.

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



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2. The case of the prosecution is that the petitioner received a sum of Rs.20,49,000/- from the defacto complainant by giving a false promise that he will arrange a job in NLC to the daughter of the defacto complainant. After receiving the amount, the petitioner neither secured the job nor repaid the amount. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that a sum of Rs.1,25,000/- has already been paid to the account of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that 3 witnesses have been examined and the investigation is in preliminary stage. However, he fairly conceded that the portion of the amount has been paid by the petitioner to the account of the defacto complainant.

5.Considering the facts and circumstances of the case and also considering the fact that the portion of the amount has already been paid by the petitioner to the account of the defacto complainant, 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



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copy of this order, before the learned Judicial Magistrate No.II, Sivagangai, 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 card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m;

(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;



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

sd/-
22/07/2024

/ TRUE COPY /

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

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
SIVAGANGAI DISTRICT CRIME BRANCH,
SIVAGANGAI.

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



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+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-8306[I] dated 23/07/2024)

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ORDER
IN
CRL OP(MD) No.10513 of 2024
Date :22/07/2024

SA/JGB/SAR. /31.07.2024/5P/6C

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