



CRL OP(MD). No.10537 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.10537 of 2024

Valarmathi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
District Crime Branch
Thanjavur District.
Cr No.23/2024..

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad,
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.23/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent

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police for the offences punishable under Sections 406 and 420 IPC, in Cr.No.23 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that one Umarani working in the Gold Finance run by the defacto complainant, while the said Umarani and the petitioner herein mis-appropriated more amount from and the part of the amount of Rs.14,00,000/- was settled by the said Umarani, but, the petitioner herein refused the same. Hence, the complaint.

3. The learned counsel for the petitioner would submit that due to enmity, a false case foisted against the petitioner and the petitioner is innocent and he has not committed any offence as alleged by the prosecution and seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature of allegations made against the petitioner, this Court is inclined to grant

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anticipatory bail to the petitioner with certain conditions.

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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 copy of this order, before the learned Judicial Magistrate No.II, Thanjavur, 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 once in a week i.e., on every Saturday at 10.30 am until further orders;

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

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(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;

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

sd/-
15/07/2024

/ TRUE COPY /

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

TRP

TO

1.THE JUDICIAL MAGISTRATE NO.II, THANJAVUR



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

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

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

+1 CC to M/s.A.ARUN PRASAD, Advocate (SR-7950[I] dated 16/07/2024)

ORDER
IN
CRL OP(MD) No.10537 of 2024
Date :15/07/2024

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

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