



CRL OP(MD). No.10920 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.10920 of 2024

1. Surya @ Josephine Surya Mary,

2. Kennady,

3. Graecy,

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Palakkarai Police Station, Trichy City.
Crime No. 398/2024.

... Respondent/Complainant

For Petitioner : K.M.Karunakaran, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 B.N.S.S

PRAYER :-

For Anticipatory Bail in Crime No. 398 of 2024 on the file of the respondent

Police.

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



CRL OP(MD). No.10920 of 2024

WEB COPY

ORDER : The Court made the following order :-

The petitioners/1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417 and 420 IPC in Cr.No.398 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had received a sum of Rs.4,30,000/- from the husband of the defacto complainant to arrange employment at Saudi Arabia. When the husband of the defacto complainant left to Saudi Arabia, no employment was available. 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. However, the petitioners are ready to abide by any condition imposed by this Court. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (criminals side) appearing for the respondent police has strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a



CRL OP(MD). No.10920 of 2024

copy of this order, before the learned Judicial Magistrate-V, Trichy, on condition that the petitioners 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 petitioners are directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the said crime number within a period of two weeks without prejudice to their rights and contentions before the trial Court.

(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 their identity;

(c) the petitioners shall report before the respondent police as and when required.

(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



CRL OP(MD). No.10920 of 2024

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 229-A IPC.

sd/-
25/07/2024

/ TRUE COPY /

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

SKN

TO

1.THE JUDICIAL MAGISTRATE-V,
TRICHY,

2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3.THE INSPECTOR OF POLICE
PALAKKARAI POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8666[I] dated 26/07/2024)



WEB COPY



CRL OP(MD). No.10920 of 2024

ORDER
IN
CRL OP(MD) No.10920 of 2024
Date :25/07/2024

PSP/VR/SAR /02.08.2024/ 5P/ 6C

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