



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11123 of 2024

1.M.Prithiviraj,
S/o.Mahamuni

2.Varatharajan,
S/o.Muthukumrasamy

...Petitioners/ Accused Nos.1&2

Vs

The State rep. By
The Inspector of Police,
District Crime Branch,
Thiruchirappalli District.
(Crime No.44 of 2024)

... Respondent/Complainant

For Petitioners : M/s.B.Jameelarasu
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.



For Anticipatory Bail in Crime No.44/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1&2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506 (i) of IPC, in Crime No.44 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused have committed a crime by cheating and grabbing money from the de-facto complainant. Hence, the complaint.

3. The learned Additional Public Prosecutor (Crl. Side), on instructions from the respondent police, submits that the second petitioner / A2 has already been arrested. At this stage, the criminal original petition seeking anticipatory bail would not arise.

4. Heard the learned counsel on either side, and perused the material records of the case.

5. Considering the nature of allegations in this case that the petitioner is said to have got Rs. 21,50,000/- for getting a job as hostel warden and considering the fact that in the FIR itself it is mentioned that the petitioners have given an undertaking in



seen that the petitioners have undertaken as if it is a loan, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

6. Accordingly, the first petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.I, Thiruchirappalli, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the first 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 first petitioner shall report before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for the interrogation.

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

(d) the first 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 first petitioner in accordance



with law as if the conditions have been imposed and the first 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

7. Accordingly, this criminal original petition is allowed as against the first petitioner and is dismissed as against the second petitioner.

sd/-
21/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUCHIRAPPALLI.
- 2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THIRUCHIRAPPALLI DISTRICT.



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

+1. CC to B.JAMEELARASU Advocate SR.No.12930

ORDER
IN
CRL OP(MD) No.11123 of 2024
Date :21/10/2024

MGJ/SKN(15.11.2024) 5P 6C

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