



CRL OP(MD)No.11486 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 05.08.2024

PRESENT

The Hon`ble MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.11486 of 2024

1.Kavitha

2.Sekar @ Nilasekar

... Petitioners/2nd & 3rd Accused

Vs

The Inspector of Police,
SS Colony Police Station,
Madurai City.
(In Crime No.1737 of 2023)

... Respondent/Complainant

S.Sundaramoorthy

... Defacto Complainant/Inverner
In Crl.MP(MD).7868/2024 in Crl.OP(MD).11486/2024

For Petitioner : Mr.V.Palpandi, Advocate

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

For Intervenor : Mr.R.Ramasamy, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.1737 of 2023 on the file of the Respondent Police.

ORDER :- The Court made the following order :-

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



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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(1) IPC in Cr.No.1737 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the victim had paid a sum of RS.13 Lakhs to all the three accused to get APRO job in the Government of Tamil Nadu. Thereafter, the accused persons have cheated the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the intervenor would submit that the second accused had personally received a sum of Rs.2,00,000/-. It is stated that already A1 has repaid a sum of Rs.4,00,000/- and a sum of Rs.9,00,000/- is due.

4.The learned counsel appearing for the petitioner would submit that each of the petitioners would deposit a sum of Rs.1,00,000/- to the credit of Cr.No.1737 of 2023 before the learned Judicial Magistrate No.V, Madurai.

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

6.considering the amount due and considering the misconduct of the defacto complainant in trying to get a Government job by giving bribe, I am inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Petition is allowed and the petitioners are ordered to be



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released on bail in the event of 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.V, 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 daily at 10.30 am., for a period of three weeks and thereafter, as and when required;

(c) the petitioners shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each (Totally Rs.4,00,000/-) to the credit of Cr. No.1737 of 2023 before the learned Judicial Magistrate No.V, Madurai and may shall be enlarged only on such deposit;

(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



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Court is entitled to take appropriate action against the petitioners 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;

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

sd/-
05/08/2024

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

GNS
TO

1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
SS COLONY POLICE STATION,
MADURAI CITY.

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



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ORDER
IN
CRL OP(MD) No.11486 of 2024
Date :05/08/2024

SA/VR/SAR. /20.08.2024/5P/5C

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