



CRL OP(MD). No.11585 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

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Shahul Ahamed@shahul Hammeed

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
District Crime Branch,
Thanjavur District.
(Crime No 16 of 2024).

... Respondent/Complainant

For Petitioner : M/s.S.M.A.Jinnah, 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 16 of 2024 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police
for the offences punishable under Sections 406, 420 and 506(1) of IPC, in Cr.No.16 of



2024, seeks anticipatory bail.

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2.The case of the prosecution is that the accused persons received a sum of Rs.1250,000/- from the defacto complainant in order to get visa to abroad. When the defacto complainant has arrived to Malaysia Airport, the Airport authorities has found out the visa is a fake one and returned the defacto complainant to India. When the defacto complainant questioned the accused persons, they abused him in filthy language and threatened him with dire consequences. 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. However, he abide any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that 6 witnesses have been examined and the investigation is still pending. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature of the offence, 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 copy



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of this order, before the Judicial Magistrate Court No.I, 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 deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.16 of 2024 without prejudice to his right before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

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

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

(e) the petitioner 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 petitioner in accordance with



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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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/07/2024

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

DSS

To

- 1.The Judicial Magistrate No.I,
Thanjavur.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
District Crime Branch,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.S.M.A.JINNAH, Advocate SR No.9051(I), dated 01.07.2024



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ORDER
IN
WP(MD) No.11585 of 2024
Date :29/07/2024

ED/ GS /SAR- (08/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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