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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11652 of 2024

1. Kanagaraj@ Kanagarajan
2. Mahalakshmi

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
Sellur Police Station,
Madurai City.
Crime No. 133/2024..

... Respondent/ Complainant

For Petitioner : Mr.S.M.Anantha Murugan,
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. 133 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 406, 420

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and 506(i) IPC in Crime No.133 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on promising to get a Job in the Government Department to the defacto complainant's son, the petitioners herein have received a sum of Rs.10,50,000/- from the defacto complainant and subsequently, cheated him. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations that the defacto complainant has given money to the petitioners for illegally securing the employment in the Madurai Corporation and in the process he was cheated by the petitioners to the tune of Rs.10,50,000/- and considering the arguments of the learned counsel for the petitioners that it is only a loan transaction and a sum of rupees Rs.6,00,000/- is due for which already promissory note was given and considering his argument to show their bonafide, they are ready and willing to deposit a sum of Rs.3,00,000/-, I am inclined to enlarge the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on 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.II, 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) As per the undertaken, the petitioners shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.133 of 2024, before the Court concerned, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

c) the 1st petitioner shall appear before the respondent Police daily at 7.00 pm and the 2nd petitioner shall report before the respondent police daily at 10.30 am and for a period of three weeks and thereafter, as and when required for interrogation;

(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 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/-
09/08/2024

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/08/2024

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
MADURAI.

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

3 THE INSPECTOR OF POLICE
SELLUR POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-9821[I] dated
12/08/2024)

<https://www.mhcn.gov.in/judss> +1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-9860[I] dated



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ORDER

IN

CRL OP(MD) No.11652 of 2024

Date :09/08/2024

MK/MGA/23.08.2024 5P 7C

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