



CRL OP(MD)No.11842 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 31.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11842 of 2024

Sreekandan Nair

... Petitioner / Accused No.2

Vs

**The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
Crime No.354 of 2023**

... Respondent / complainant

For Petitioner : Mr.T.Selvakumaran, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.354 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for

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the alleged offence punishable under Sections 120(B), 420, 468, 406 and 506(1) IPC in Cr.No.354 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons sold the land, which is not belonging to them, to the defacto complainant. When the defacto complainant demanded to return the money, the accused persons threatened him with dire consequences. Hence,the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor. for the respondent submits that the investigation is yet to be completed.

5.Considering the facts and circumstances of this case and also considering that the petitioner is not having any previous case pending as against him, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of 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 No.i, Padmanabhapuram on condition that the petitioner

shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand) with two



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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 report before the respondent police on every Saturday at 10.30 am., until further orders;

(c)the petitioner shall deposit a sum of Rs.4,00,000/-(Rupees Four Laksh only) to the credit of Cr.No.354 of 2024 before the learned Judicial Magistrate No.i, Padmanabhapuram;

(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 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;

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

sd/-
31/07/2024

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/ 08 /2024

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

GNS

TO

1. THE JUDICIAL MAGISTRATE NO.I,
PADMANABHAPURAM.

2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGARCOIL.

3 THE INSPECTOR OF POLICE
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-9185[I] dated 01/08/2024)

ORDER
IN
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Date :31/07/2024



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