



CRL OP(MD). No.12276 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12276 of 2024

Selvam,

... Petitioner/Sole Accused

Vs

**The Sub Inspector of Police,
Vikkiramangalam Police Station,
Madurai,
Crime No.133/2024.**

... Respondent/Complainant

Arumugam

**... Intervener/ Defacto Complainant
in Crl.M.P.(MD) No.8182 of 2024**

For Petitioner : Mr.K.R.Laxman, Advocate.

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

For Intervenor : Mr.S.P.Naveen Kumar, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.133/2024 on the file of the respondent police

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



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 316(2) and 318 (4) BNS, 2023, in Cr.No. 133 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, while working under the defecto complainant, who was in charge of collection of money, had failed to collect the money to the tune of Rs.1,50,000/- and misappropriated. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner while working under the defecto complainant, who was in charge of collection of money, had failed to collect the money to the tune of Rs.1,50,000/-, in which misappropriation is also suspected and that no specific allegation with reference to a particular person from which the petitioner has collected the money and misappropriated is levelled in the complaint nor it is revealed even before this Court, I am of the view that this case for considering the petitioner for anticipatory bail.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen



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days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Usilampatti, 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 report before the respondent police daily at 10.30 am for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

(d) the 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 petitioner in accordance with

law as if the conditions have been imposed and the petitioner released on bail by the



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

sd/-
12/08/2024

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

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TO

1 THE JUDICIAL MAGISTRATE
NO.II, USILAMPATTI,

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

3 THE SUB INSPECTOR OF POLICE
VIKKIRAMANGALAM POLICE STATION, MADURAI

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

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-9826[I] dated 12/08/2024)



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ORDER
IN
CRL OP(MD) No.12276 of 2024
Date :12/08/2024

PSP/VR/SAR /23.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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