



CRL OP(MD)No.12398 of 2024

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

Date : 05.08.2024

PRESENT

The Hon`ble MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.12398 of 2024

Muthukumar

... Petitioner / Accused No.2

Vs

The Inspector of Police,  
Kurumbur P.S.,  
Thoothukudi.  
(Crime No.79 of 2019)

... Respondent / Complainant

For Petitioner : Mr.A.Arun Ramnath, Advocate

For Respondent : Mr.T.Senthil Kumar,  
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.79 of 2019 on the file of the Respondent Police.

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 Section 420 IPC, in Cr.No.79 of



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2019, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant had approached PNB Housing Finance Limited, Tirunelveli Branch, for loan. He had submitted certain documents and also signed cheques. The loan application was rejected, however, the signed cheques were not returned to the defacto complainant and the same was presented for collection for a sum of Rs.96,000/-. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner would deposit a sum of Rs.20,000/- to the credit of Cr.No.79 of 2019 before the Special Judicial Magistrate Court No.I, Thiruvaikundam, Thoothukudi District.

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

5.Considering the facts and circumstances of the case and also considering the submissions of the learned counsel appearing for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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 days from the date of receipt of a copy of this order, before the Special Judicial Magistrate Court No.I, Thiruvaikundam, Thoothukudi District, on condition that



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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 as and when required;

(c) the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Cr.No.79 of 2019 before the Special Judicial Magistrate Court No.I, Thiruvaikundam, Thoothukudi District.

(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



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Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(h)if the accused thereafter absconds, 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 Special Judicial Magistrate No.I,  
Thiruvaikundam, Thoothukudi District.
- 2.Do through the Chief Judicial Magistrate,  
Thoothukudi District.
- 3.The Inspector of Police,  
Kurumbur Police Staation,  
Thoothukudi.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
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Date :05/08/2024



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ED/ GS /SAR- (09/08/2024) 5P / 5C

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