



CRL OP(MD). No.12517 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.12517 of 2024

Soundarrajan

... Petitioner/Sole Accused

Vs

The Sub Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District
(Crime No. 76 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Dinesh Rao.S., 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.76 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of BNS, in Crime No.76 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the accused, by giving a false promise, received a sum of Rs.4,00,000/- from the defacto complainant for sending her daughter to foreign for studying an MBBS course. Later, the accused cheated the defacto complainant. Hence, the case.

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

4.The matter relates to promising the defacto complainant an MBBS seat abroad and it is alleged that a sum of Rs.4,00,000 was received from the defacto complainant. The offence is serious in nature.

5.However, the learned counsel for the petitioner would submit that the petitioner would deposit part amount, namely, a sum of Rs.2,00,000/-, in the event of him being released by the anticipatory bail.

6.Considering the case that the petitioner being the sole accused in this case, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

7.As per the undertaken, the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.76 of 2024 before the learned Judicial Magistrate, Paramakudi, without prejudice to his rights and contentions.

8.On such deposit being made, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Paramakudi, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 a.m., 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



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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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A BNS.

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.

SJI

To

1.The Judicial Magistrate,
Paramakudi.

2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.

3.The Sub Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.DINESH RAO, Advocate (SR-9600[I] dated 07/08/2024)



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ORDER
IN
CRL OP(MD) No.12517 of 2024
Date :05/08/2024

ED/ GS /SAR- (19/08/2024) 5P / 6 C

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