



CRL OP(MD). No.13176 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13176 of 2024

Gopalakrishnan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Theppakulam Police Station,
Madurai City.
Crime No.412 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.Sridharan, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.412 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 the alleged offence under Sections 406 and 420 of IPC, in Crime No.412 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner received a sum of Rs.15,00,000/- from the defacto complainant and 80 others by giving assurance that he would get plots and thereafter, he cheated them. 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 considering the nature of allegation that the petitioner totally de-frauded to the tune of Rs.15,00,000/- and also considering the arguments made by the learned Counsel for the petitioner to show his *bonafide*, the petitioner is ready to deposit a sum of Rs.3,00,000/- (Rupees Three Lakh only), I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, on executing 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 learned Judicial Magistrate No.I, Madurai.



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(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)As undertaken, the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakh only) to the credit of Crime No.412 of 2024 before the Judicial Magistrate No.I, Madurai, without prejudice to his rights and contentions before the trial Court within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

(ii)the petitioner shall report before the respondent Police, daily at 10.30 am for a period of two 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;

(iii)the petitioner shall not tamper with evidence or witness;



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iv)the petitioner shall not abscond during trial.

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v)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].

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

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

JBR
TO

1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION
MADURAI CITY.

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

+1 CC to M/s.M.SRIDHARAN, Advocate (SR-10732[I] dated 02/09/2024)

ORDER
IN
CRL OP(MD) No.13176 of 2024
Date :02/09/2024

SS/VR/SAR- /14/09/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023