



CRL OP(MD). No.13591 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.13591 of 2024

N.Nagarajan

... Petitioner/1st Accused

Vs

The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District,
Crime No.202/2024.

... Respondent/Defacto Complainant

For Petitioner : Mr.M.Arun Prakash,
Advocate.
For Respondent : Mr.P,Kottaichamy,
Government Advocate (Crl.Side)
For Intervenor : Mr.M.R.Srinivasan,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.202/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.202 of 2024, for the offence punishable under



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Sections 409 and 420 of IPC, has filed this petition seeking anticipatory bail.

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2.The case of the prosecution is that the petitioner/A1 is working as a Jewel Appraiser in his brother's Jewellery Shop. On the assurance given by this petitioner, the defacto complainant has parted with some gold jewels for remaking it as a fresh jewels. The accused persons had cheated the defacto complainant to the tune of Rs.5 Lakhs.

3.Considering the nature of allegation and on the objections made on behalf of the respondents that the jewels can be recovered from the accused persons only by way of custodial interrogation, this Court has dismissed the earlier application filed by this petitioner on 05.04.2024.

4.The learned counsel appearing for the petitioner has renewed this application and submits that the petitioner, in order to show his bonafide, has paid a sum of Rs.3,10,000/- to the defacto complainant.

5.The learned Government Advocate (Crl.Side) appearing for the respondent submits that subsequent to the earlier order of this Court, dated 28.08.2024, the respondent police has arrested A2 in this case and 20 grams of silver articles were recovered from him.

6.Considering the subsequent development and also the stand of the learned counsel for the petitioner that the petitioner has settled a sum of Rs.3,10,000/- to the



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defacto* complainant, this Court is inclined to grant anticipatory bail to this
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petitioner.

7. 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 Court, Padmanabhapuram, Kanyakumari District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two local sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Padmanabhapuram, Kanyakumari District and on further conditions that

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police once in a week on every Monday at 10.30 a.m., until further orders.
- iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

The petitioner shall be available for the trial as well.

- iv. On violation of any of the above conditions by the petitioner, the



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respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
04/11/2024

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/11/2024

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

VRN

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM,
KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 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.M.R.SREENIVASAN, Advocate (SR-13609[I] dated 05/11/2024)

ORDER IN
CRL OP(MD) No.13591 of 2024
Date :04/11/2024

RS/GSV/SAR-(23.11.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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