



CRL OP(MD). No.13965 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13965 of 2024

Naveen

... petitioner/ Accused 1

Vs.

State represented through
The Inspector of Police,
Viruthunagar West Police Station,
Virudhunagar District.
(Crime No.164 of 2024)

... Respondent/Complainant

For petitioners : Mr.M.Kannan
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.164 of 2024 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 Sections 120(B), 406, 420, 294(b) and 506(ii)



CRL OP(MD). No.13965 of 2024

of IPC, in crime No.164 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that by falsely promising the de-facto complainant that he will procure a quarry license to her, he has got money to the tune of around Rs.17,00,000/- and neither repaid the money nor got the quarry license. Hence, the respondent police registered a case against the petitioners.

3. The learned counsel for the petitioner would submit that the petitioner and the de-facto complainant have several other business transactions. The petitioner also supplies flex boards, and there is also a canteen business, which is run. There has been monetary transactions between the parties. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Heard the learned Government Advocate(Crl.sdie) appearing for the State.

5.Considering the fact that the there are monetary transactions between the parties and considering the fact that the averment of the complainant regarding grant of quarry licence is bereft of further particulars, I am inclined to enlarge the second petitioner on anticipatory bail.



CRL OP(MD). No.13965 of 2024

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6. 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 Court No.I, Virudhunagar;

(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)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;

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

(iv)the petitioner shall not abscond during trial.



CRL OP(MD). No.13965 of 2024

WEB COPY

(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/-
27/08/2024

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/09/2024

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

NS

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.13965 of 2024

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

+1 CC to M/s.M.KANNAN, Advocate (SR-10410[I] dated 27/08/2024)

ORDER
IN
CRL OP(MD) No.13965 of 2024
Date :27/08/2024

SS/GS/SAR- /04/09/2024/5P/6C

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