



CRL OP(MD). No.14925 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Shivakumar,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
The Inspector of Police,
City Crime Branch,
Trichirappalli.
(Crime No.6/2024).

... Respondent/Complainant

For Petitioner : Mr.K.R.Kishore Ram,
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.6/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police



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for the offences punishable under Sections 417 & 420 of IPC, in Cr.No.6 of 2024, seeks
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anticipatory bail.

2.The case of the prosecution is that the father of the petitioner and the father of the defacto complainant are friends. Since the petitioner herein is working abroad, he received a sum of Rs.18,00,00/- from the defacto complainant by giving a false promise that he will secure a job for him. Thereafter, he failed to do the same. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the defacto complainant was supposed to have parted with a sum of Rs.18,00,000/- by cash for getting employment abroad and the petitioner did not get employment as promised even though he made him come on a tourist visa and attempted to get work permit and also considering the further argument of the learned counsel for the petitioner that yet another case against the petitioner's father has also been filed as if a sum of Rs.28,00,000/-- was advanced as loan in the year 2016, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.1, Tiruchirappalli, on condition



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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 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 daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;

(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 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]; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
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/09/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.I,
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHIRAPPALLI.

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



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ORDER

IN

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Date :04/09/2024

SA/SG/SAR. /19.09.2024/5P/5C

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