



CRL OP(MD). No.14208 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14208 of 2024

Imtiyash Ahamd Ansari @ Imthiyaz Ahamed,

... Petitioner/ Accused No.2

Vs

**The Inspector of Police,
Thanjavur Medical College Hospital
Police Station, Thanjavur,
Thanjavur District.
Crime No.248 of 2024.**

... Respondent/Complainant

For Petitioner : M/s. Arul Jenifer .A, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

**For Anticipatory Bail in Crime No. 248 of 2024 on the file of the Respondent
police.**



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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 294(b), 506(i), 406 and 420 I.P.C, in Crime No.248 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused had arranged VISA to the defacto complainant to Dubai from France. When the defacto complainant made to stay in Dubai on Tourist VISA, the Dubai officials instructed him to leave Dubai, since the Tourist visa will expire in two days. When the defacto complainant contacted the petitioner, they did not respond and cheated him. Hence, the complaint.

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

4. Considering the nature allegation in this case that the petitioner being the travel agent, promised the defacto complainant to get visa in the country of their choice and they were also trying to get visa in France and thereafter, got tourism visa in Germany and however, the defacto complainant and his wife were not successful in going to the said country and considering the fact that they have returned a sum of Rs.3,00,000/- to the defacto complainant, through bank transaction, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Thanjavur, Thajavur District, 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 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 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;

(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



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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;

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

sd/-
29/08/2024

/ TRUE COPY /

/ 09 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE
NO.II, THANJAVUR DISTRICT

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
THANJAVUR MEDICAL COLLEGE HOSPITAL POLICE STATION,
THANJAVUR, THANJAVUR DISTRICT.



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

+1 CC to M/s.P.SURLIRAJA, Advocate (SR-10626[I] dated 30/08/2024)

ORDER
IN

CRL OP(MD) No.14208 of 2024
Date :29/08/2024

PSP/ VR /SAR /09.09.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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