



CRL OP(MD). No.14211 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.14211 of 2024

Backiyaraj

... Petitioner/ Accused No.2

Vs

**The Sub-Inspector of Police,
K.Pudur Police Station,
Madurai City,
Madurai District.
Crime No.317 of 2024**

... Respondent

For Petitioner : Mr.Niranjana S.Kumar, 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.317 of 2024 on the file of the Respondent
police.**



CRL OP(MD). No.14211 of 2024

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 120B, 406, 417 and 420 of IPC in Crime No.317 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused received an advance amount from the defacto complainant for the properties. However, the registration could not take place and thereby, cheated the defacto complainant. Hence, the case.

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 also considering the nature of allegation that the petitioner along with the other accused are said to have received advance, however, the sale transaction could not take place and the advance amount being given to the owners of the property and the petitioner is said to have been a broker, who facilitated transaction of money, Im inclined to enlarge the petitioner on anticipatory bail with certain conditions.

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



CRL OP(MD). No.14211 of 2024

Magistrate No.VI, Madurai, 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 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



CRL OP(MD). No.14211 of 2024

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/-
02/09/2024

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

JBR

TO

1 THE JUDICIAL MAGISTRATE
NO.VI, MADURAI.

3 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI CITY,
MADURAI DISTRICT.

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

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-10704[I] dated 02/09/2024)



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CRL OP(MD). No.14211 of 2024

ORDER
IN
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Date :02/09/2024

PSP/ VR /SAR /21.09.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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