



CRL OP(MD). No.14495 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14495 of 2024

Ramesh Kumar

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
Crime No.96 of 2024

... Respondent/Complainant

For Petitioner : Mr.Venkitachalapathy, 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.96 of 2024 on the file of the Respondent police.

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 409 & 420 of IPC, in Crime No.96 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that one Mr.Balamurugan, who is working as an Assistant Manager, had misappropriated a sum of Rs.4,22,072/-. Hence, the complaint.

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

4. Considering the submission made by the learned Counsel for the petitioner that the petitioner had totally received a sum of Rs.99,000/- (Rupees Ninety Nine Thousand only) and he has undertaken to deposit the same in Crime No.100 of 2024, I am 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 his 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, Uthamapalayam, 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



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card or Bank pass Book to ensure their identity;

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(b)As undertaken, the petitioner shall deposit a sum of Rs.99,000/- (Rupees Ninety Nine Thousand only) to the credit of Crime No.100 of 2024 before the Judicial Magistrate, Uthamapalayam, without prejudice to his rights and contentions before the trial Court within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

(c)the petitioner shall report before the respondent police, 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;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

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

sd/-
05/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.

2.DO THOUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT

3. THE INSPECTOR OF POLICE
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.K.SUNDARAVEL, Advocate (SR-10922[I] dated 05/09/2024)

ORDER
IN
CRL OP(MD) No.14495 of 2024
Date :05/09/2024



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ED/ MMS /SAR- (15/10/2024) 5P / 6C

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