



CRL OP(MD). No.14733 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

CRL OP(MD). No.14733 of 2024

Nagaraj,

... Petitioner/ Accused 9

Vs

The Sub Inspector of Police,  
DCB Police Station,  
Sivagangai District.  
Crime No. 16 of 2024.

... Respondent/ Complainant

For Petitioner : M/s. Ramesh.C,  
Advocate.

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

For Intervenor : Mr.R.M.Arun Swaminathan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 16 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 419, 465, 467, 468, 471, 420 and 120



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(b) I.P.C, in Cr.No. 16 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that when the property belongs to the defacto complainant, the accused are said to have impersonated the defacto complainant executed a power of attorney and executed further document and thereby, cheated the defacto complainant. Hence, the complaint.

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, who is the practicing Advocate, caused publication in respect of the allegation that the document said to be missing, I am inclined to grant anticipatory bail to the petitioner 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 Magistrate No.II, Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five 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:



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(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 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;

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

sd/-  
04/09/2024

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



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LS

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.II,  
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,  
DCB POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.CHAKKARAVARTHI, Advocate ( SR-10902[I] dated 05/09/2024 )

ORDER IN

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Date :04/09/2024

SA/SG/SAR. /14.09.2024/4P/6C

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