



CRL OP(MD). No.14758 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.14758 of 2024

Venkatesh,

... Petitioner/ Accused 4

Vs

State Rep. by
The Inspector of Police,,
Theppakulam Police Station,
Madurai City.
Crime No. 412/2024.

... Respondent/ Complainant

For Petitioner : M/s. Sridharan .M,
Advocate.

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

PRAYER :- For Anticipatory Bail in Crime No.412 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 406 and 420 I.P.C, in Crime No. 412 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner is the Agent of real estate company. The accused persons received amount for plots by way of EMI from the defacto complainant and his relatives and thereafter, the accused refused to give plots to defacto complainant and others and thereby cheated them. 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 considering the nature of the allegation and considering the argument of the petitioner that already in the connected Crl.O.P.(MD)No.13176 of 2024 by recording the submission made by the learned counsel for the petitioner that without prejudice to their contentions, they will deposit a sum of Rs.3,00,000/- in Crime Number and anticipatory bail is given to similarly situated accused and considering the argument of the learned counsel for the petitioner that without prejudice to his contentions, this accused will also deposit a sum of Rs.3,00,000/- to the credit of Crime number, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, this Petition is allowed and as undertaken by the learned counsel for the petitioner, the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.412 of 2024 before the Judicial Magistrate No.I, Madurai, without prejudice to his rights and contentions before the



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trial Court and produce the receipt/acknowledgement before the learned Judicial
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Magistrate No.I, Madurai.

6.On production of such receipt, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, 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 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;

(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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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.

LS
TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,,
THEPPAKULAM POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.M.SRIDHARAN, Advocate (SR-10900[I] dated 05/09/2024)



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ORDER
IN
CRL OP(MD) No.14758 of 2024
Date :04/09/2024

SA/SG/SAR. /14.09.2024/5P/6C

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