



CRL OP(MD). No.15729 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15729 of 2024

N.Balavenkates,

... Petitioner/Sole Accused

Vs

**The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Thanjavur Town South Police Station,
Thanjavur District.
(Crime No.351/2024).**

... Respondent/Complainant

**For Petitioner : Mr.P. Parthipan, 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.351/2024 on the file of 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 420, 294(b) and 506(i) I.P.C, in**

<https://www.mhc.tn.gov.in/judis>



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Crime No. 351 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, by giving false promise to assure job in Tamil Nadu Electricity Board to the defacto complainant, he received a sum of Rs.50,000/- through G-Pay as well as cash and thereafter, 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 got some money through G-Pay and some money through cash, in all totaling to Rs.50,000/- promising employment to the defacto complainant in the Tamil Nadu Electricity Board and considering the argument of the learned counsel for the petitioner that the defacto complainant filed a writ petition for compassionate appointment which was dismissed and considering his submission that without prejudice to his contention, he will deposit the said sum to the credit of the crime number, I am inclined to enlarge the petitioner anticipatory bail 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.50,000/- (Rupees

Fifty Thousand only) to the credit of Crime No.351 of 2024, before the Judicial



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Magistrate No.I, Thanjavur, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.I, Thanjavur.

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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thanjavur, 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
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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/-
19/09/2024

/ TRUE COPY /

/ 10 / 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.I, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
THANJAVUR TOWN SOUTH POLICE STATION,
THANJAVUR DISTRICT.

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

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+1 CC to M/s.B.ARUN, Advocate (SR-11427[I] dated 19/09/2024)

ORDER

IN

CRL OP(MD) No.15729 of 2024

Date :19/09/2024

PSP/ VR /SAR /16.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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