



CRL OP(MD). No.16248 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Prasanna,

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Through the Inspector of Police,
DCB Police Station,
Trichy,
Trichy District,
In Crime No.54/2024.

... Respondent/ Complainant

For Petitioner : Mr.Suyambulinga Bharathi. K
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- for Anticipatory Bail in Crime No.54 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



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police for the offences punishable under Sections 420, 406 and 506(i) IPC, in Cr.No. 54 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had borrowed money from the defacto complainant for a sum of Rs.55,79,000/- and thereafter, he repaid Rs.4,00,000/- only 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 in this case that the petitioner is said to have borrowed the money from the de facto complainant and after making payment, only Rs.4,00,000/- was paid and considering the further allegations that the petitioner had also given cheques, in respect of the same, the complaint is also filed under Section 138 of the Negotiable Instruments Act, 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.I, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-



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(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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
26/09/2024

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

LS
TO

1 THE JUDICIAL MAGISTRATE NO.I,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
DCB POLICE STATION,
TRICHY,
TRICHY DISTRICT.

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



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+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-11829[I] dated
26/09/2024)

ORDER
IN
CRL OP(MD) No.16248 of 2024
Date :26/09/2024

SA/JGB/SAR. /17.10.2024/5P/6C

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