



CRL OP(MD). No.16533 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16533 of 2024

Vinothkumar

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Palakarai Police Station,
Trichy City, Trichy District.
(In Crime No.507 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.S.Sundarapandian
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of
Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.507 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of IPC, in Crime No.507 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner, by giving a false promise to secure job in abroad, received a sum of Rs.2,95,000/- from the defacto complainant. Thereafter, neither he secured a job nor repaid the money.

3.Heard both sides.

4. Considering the nature of the allegations in this case that the petitioner is said to have received a sum of Rs.2,95,000/- from the defacto complainant for arranging a job and thereafter, cheated the defacto complainant and also considering the argument of the learned Counsel for the petitioner that without prejudice to his contentions, the petitioner will deposit a sum of Rs.1,70,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, as per the undertaking given by the learned counsel for the petitioner, the petitioner shall pay a sum of Rs.1,70,000/- (Rupees One Lakh Seventy Thousand Only) to the credit of Crime No.507 of 2024, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the Judicial Magistrate Court No.5, Trichy.

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 two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.5, Trichy, 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;



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(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/-
03/10/2024

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

DSS

TO

1. THE JUDICIAL MAGISTRATE COURT NO.5, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
PALAKARAI POLICE STATION,
TRICHY CITY, TRICHY DISTRICT.



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

+1 CC to M/s.S.S.SUNDARA PANDIAN, Advocate (SR-12204[I] dated 04/10/2024)

ORDER
IN
CRL OP(MD) No.16533 of 2024
Date :03/10/2024

RK/VR (18/10/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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