



CRL OP(MD). No.16758 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Balamurugan,

... Petitioner/ Accused No.3

Vs

State of Tamilnadu,
Rep by the Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
(In Crime No. 374 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.K.Kumaran,
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.374 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(i) of IPC, in Cr.No.374 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused, by giving a false promise to secure a government job for the sons of the defacto complainant, received a sum of Rs.15,00,000/- from the defacto complainant. Thereafter, neither they secured a job nor repaid the money. Hence, the complaint.

3.Heard both sides.

4.Considering the argument of the learned counsel for the petitioner that there is a previous complaint with reference to the same issue, this court adjourned the matter for the Additional Public Prosecutor to get instructions. Today, the Additional Public Prosecutor on written instructions, would submit that there was a previous petition and in the same, it is recorded that a total sum of Rs.2,50,000/- has been repaid by the petitioner herein. In the said circumstances,



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when the total amount given is also disputed, I am of the view that this is a fit case for enlarging the petitioner on anticipatory bail with certain conditions.

5. Accordingly, 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.VI, 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 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 a.m, for a period of three 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;
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(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/-
15/10/2024

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/10/2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.16758 of 2024
Date :15/10/2024

SS/JGB/SAR- /18/10/2024/ 5P/5C

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