



CRL OP(MD). No.17569 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17569 of 2024

Janakiraman,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu Rep By,
The Inspector of Police,
CCB Police Station,
Madurai District.
(Crime No.32/2024.)

... Respondent/ Complainant

For Petitioner : K.S.Duraipandian,
Advocate.

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

For Intervener : Mr.S.Baskaran,
Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.32 of 2024 on the file of the respondent Police.



CRL OP(MD). No.17569 of 2024

WEB COPY

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 465, 468, 471 and 120(b) of IPC (316(2), 318(4), 336(2), 336(3), 340(2) and 61(2) of BNS), in Cr.No.32 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that A1 is the Branch Manager of HDFC Life Insurance. In the year 2018, A1 approached the defacto complainant to take retirement policies. On believing his words, the defacto complainant has invested in the retirement policies, and paid the premium for the policies, and also received receipts from A1. Thereafter, when he was surrendering all the Insurance Policies, the HDFC Bank refused to accept the policy receipts stating that all were forged ones. Thereby, the loss caused to the defacto complainant is Rs.1.50 crores. On repeated demands, A1 gave only Rs.34 lakhs in the year 2021 and Rs.1.8 lakhs in the year 2023. Hence, the complaint.

3.Heard both sides.



CRL OP(MD). No.17569 of 2024

WEB COPY

4. Considering the nature of the allegations that the petitioner and his son cheated the defacto complainant in the guise of taking policies, and some of the Insurance Policies turned out to be forged, and considering the submissions made by the learned counsel for the petitioner that, without prejudice to his contention, the petitioner will also deposit the original title deeds in respect to the two acres of lands in S.Nos.36/7, 21/2, 37/1, 43/9, 44/8 and 243/11 at Kirungakottai Group, Manamadurai Taluk, Sivagangai District to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] the petitioner shall deposit the original title deeds along with an affidavit in respect to the two acres of lands in S.Nos.36/7, 21/2, 37/1, 43/9, 44/8 and 243/11 at Kirungakottai Group, Manamadurai Taluk, Sivagangai District to the credit of Crime No.32 of 2024 before the concerned Court without prejudice to his defence.

[b] On such deposit, 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 Judicial Magistrate No.I, Madurai.



CRL OP(MD). No.17569 of 2024

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[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity ;

[d] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[e] the petitioner shall not tamper with evidence or witness.

[f] the petitioner shall not abscond during trial.

[g] 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].



CRL OP(MD). No.17569 of 2024

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[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
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/11/2024
Sub-Assistant Registrar (CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.1,
Madurai.
2. Do-Through,
The Chief Judicial Magistrate,
Madurai.
3. The Inspector of Police,
CCB Police Station, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.17569 of 2024

ORDER
IN
CRL OP(MD) No.17569 of 2024
Date : 23/10/2024

SI/ MMS/ /-(14.11.2024) 6P/ 5C

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