



CRL OP(MD). No.17558 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17558 of 2024

1. S.R.Santhakumari

2. S.Sylas @ Sailas

3. P.V.Kumar

4. A.Anto @ Anto Arun

5. Suhinlal @ Sajin

6. Sahinlal @ Sakin

7. Sylas Miss Malathy @ Shoba

8. Priya Christhu Angel @ Priya

... Petitioners/ A1 to A8

Vs

The State of Tamil Nadu,
Rep by the Sub-Inspector of Police,
Colachel Police Station,
Kanniyakumari District.
(Crime No.506/2016.)

... Respondent/ Complainant



WEB COPY



CRL OP(MD). No.17558 of 2024

For Petitioner : M/s. Appaji.C.K.M,
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.506 of 2016 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A8, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 506(1) and 294(b) of IPC, in Crime No.506 of 2016, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners colluded together and collected 159 sovereigns of jewels from the defacto complainant and her neighbours. Later, the petitioners cheated the defacto complainant.



CRL OP(MD). No.17558 of 2024

3. Heard. Perused the materials available on record including the First
WEB COPY
Information Report.

4. Considering the nature of allegations in this case that the defacto complainant is said to have given her jewels for the monetary requirement of the petitioners and later, the petitioners neither returned the money nor returned the jewels and considering the fact that the case is of the year 2016, I am inclined to enlarge the petitioners on anticipatory bail, with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Eraniel, Kanniyakumari District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CRL OP(MD). No.17558 of 2024

WEB COPY

[a] the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.17558 of 2024

WEB COPY

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

sd/-
17/10/2024

/ TRUE COPY /

/11 /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Judicial Magistrate,
Eraniel, Kanniyakumari District.
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District.
3. The Sub-Inspector of Police,
Colachel Police Station,
Kanniyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.K.M.APPAJI, Advocate (SR-12651[I] dated 18/10/2024)



WEB COPY



CRL OP(MD). No.17558 of 2024

ORDER
IN
CRL OP(MD) No.17558 of 2024
Date : 17/10/2024

SI -(08.11.2024) 6P/ 6C

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