



CRL OP(MD). No.17618 of 2024

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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.17618 of 2024

M Balasubramanian,

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep By,
The Sub Inspector of Police,
S.S.Colony Police Station,
Madurai District.
(Cr.No.1181/2019.

... Respondent/ Complainant

For Petitioner : Mr.L.Shaji Chellan,
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.1181/2019 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 409, 420, 465, 468, 471 r/w 34 of IPC, in Crime No.1181 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that all the accused cheated the defacto complainant by getting transfer of loan without the knowledge of the defacto complainant.

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

4.The allegations in this case are serious. The defacto complainant was cheated by all the accused for getting transfer of the loan for a higher amount without the knowledge of the defacto complainant. However, only considering the fact that the FIR is pending from the year 2019, I am inclined to enlarge the petitioner on anticipatory bail, with certain conditions:



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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, 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 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:

[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.

[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].

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

sd/-
17/10/2024

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/11 /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



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TO

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

+1 CC to M/s.L.SHAJI CHELLAN, Advocate (SR-12666[F] dated 18/08/2024)

ORDER
IN
CRL OP(MD) No.17618 of 2024
Date : 17/10/2024

SI -(08.11.2024) 5P/ 6C

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