



CRL OP(MD). No.17593 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17593 of 2024

Pitchaikannu @ Kannan,

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu rep by,
The Inspector of Police,
Panakudi Police Station,
Tirunelveli District,
Cr.No.629/2024..

... Respondent/Complainant

For Petitioner : K.Suyambulingabharathi, Advocate.

For Respondent : Mr.A.Albert James,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.629 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police



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for the offence punishable under Section 420 of IPC, in Crime No.629 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant rented two tipper lorries to the accused, and he received a sum of Rs.4,00,000/- towards rent. Thereafter, he insisted the accused return his lorries, and as per their demand, the defacto complainant paid a sum of Rs.4,75,000/- towards the rent amount through the bank account of A3. Thereafter, the accused returned back to one lorry and did not return another lorry. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations in this case that the defacto complainant is said to have rented his two tipper lorries to the accused by receiving a sum of Rs.4,00,000/- towards rent and thereafter, when the defacto complainant demanded his lorries back, they returned only one lorry after receiving a sum of Rs.4,75,000/- and considering the submission made by the learned counsel for the petitioner that the co-accused has already been enlarged on anticipatory bail by this Court on condition to deposit a sum of Rs.2,00,000/-, however, the petitioner cannot deposit such huge amount but without prejudice to his contentions, the petitioner will deposit a sum of Rs.1,50,000/- 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.1,50,000/- (Rupees One Lakh Fifty Thousand Only) to the credit of Crime No.629 of 2024, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Valliyur.

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 learned Judicial Magistrate, Valliyur 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 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;

(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/-
22/10/2024

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/ 11 / 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
VALLIYUR.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PANAKUDI POLICE STATION,
TIRUNELVELI DISTRICT

<https://www.hmc.tn.gov.in/judis>



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

ORDER
IN
CRL OP(MD) No.17593 of 2024
Date :22/10/2024

PSP/ JGB /SAR /05.11.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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