



CRL OP(MD)No.17889 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Ramakrishnan

2. Murugesan

3. Velmurugan

... Petitioners/ Accused No. 1 to 3

Vs

The State of Tamil Nadu Rep by its,  
The Inspector of Police,  
District Crime Branch Police Station,  
Kanniyakumari District.  
(Crime.No.27 of 2023)

... Respondent/ Complainant

For Petitioners: Mr.A.Jeyaramachandran

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.27 of 2023 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 420 and 406 of IPC, in Crime No.27 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons, have cheated the defacto complainant by running a chit company. They received money from various persons on the false promise of giving more interest to their money and thereby, cheated them. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that the defacto complainant is said to have joined the chit fund which is run by the petitioners and upon maturity, a total sum of Rs.85,000/- not being paid to the defacto complainant and this Court had earlier granted anticipatory bail in Crl.O.P(MD)No.12547 of 2023, as early as on 31.07.2023 and even thereafter, the petitioner neither surrendered nor the Investigating Officer also think of arresting the petitioner, but however, the charge



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sheet was filed and now, the same is pending in CC.No.2 of 2022, in view of the huge delay which is caused on account of the petitioners and also considering the fact that since the case is pending for trial, the custodial interrogation as said is not necessary, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(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;



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(b)the petitioners shall deposit a sum of Rs.28,000/- (Rupees Twenty Eight Thousand only) each, to the credit of Crime No.27 of 2023 before the Judicial Magistrate No.I, Nagercoil, without prejudice to their rights and contentions before the trial Court within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioners shall be enlarged on anticipatory bail.

(c)the petitioners shall attend all the hearings in CC.No.2 of 2022. The petitioners except the date of hearings, 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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;



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(f)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]*; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

jbr

TO

1. The Judicial Magistrate No.I,  
Nagercoil.
2. Do-Through,  
The Chief Judicial Magistrate,  
Kanyakumari District at Nagercoil.



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3.The Inspector of Police,  
District Crime Branch Police Station,  
Kanniyakumari District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER

IN

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Date : 19.10.2024

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

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