



CRL OP(MD). No.18000 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18000 of 2024

Rajan

... Petitioner / Accused No.1

Vs

The State rep by
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Crime No.292 of 2024)

... Respondent/Complainant

For Petitioner : M/s.M.Malaviya
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.292/2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 468 and 471 of IPC, in Crime No.292 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused had committed a crime by cheating and grabbing money from the de-facto complainant. Hence, the complaint.

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

4. Considering the nature of the allegations that the de-facto complainant was greedy enough to think that he can pay bribe to the private individual and get him employment illegally in the Railways Department and that this petitioner is said to have encashed on the greed and the argument of the learned counsel for the



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petitioner that the petitioner is liable to pay Rs.4,00,000/-, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.II, Padmanabhapuram, Kanyakumari District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two common 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 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 is directed to deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only) to the credit of Crime No.292 of 2024 before the Judicial Magistrate No.II, Padmanabhapuram, without prejudice to his rights and contentions before



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the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

(c) 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 the interrogation.

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

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

(f) 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



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

sd/-
21/10/2024

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

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TO

1. The Judicial Magistrate No.II,
Padmanabhapuram, Kanyakumari District.
- 2.Do-Through,
The Judicial Magistrate,
Kanyakumari District @ Nagercoil.
3. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-12962[I] dated 23/10/2024)



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ORDER
IN
CRL OP(MD) No.18000 of 2024
Date : 21.10.2024

SI -(25.11.2024) 6P/ 6C

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