



CRL OP(MD)No.18149 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD)No.18149 of 2024

Mathan

... Petitioner/Sole Accused

Vs

State of Tamil Nadu

Through The Inspector of Police,

Manamelkudi Police Station,

Pudukottai District.

(Crime No.186 of 2024)

...Respondent/Complainant

For Petitioner : M/s.R.J.Karthick
Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate(Criminal Side)

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

PRAYER :- For Anticipatory Bail in Crime No.186/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

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

the alleged offences under Sections 409, 420 and 477A of IPC in Crime No.186 of 2024



CRL OP(MD)No.18149 of 2024

on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that for the period from 06.06.2023 to 30.11.2023, the petitioner had swindled the insurance amount to the tune of Rs.5,89,169/-, which had to be paid to the beneficiaries.

3. When the matter came up during the previous occasion, this Court directed the respondent police to ascertain as to whether the petitioner had already settled the amount to the beneficiaries.

4. When the matter was taken up for hearing today, the learned Government Advocate(Crl.side) appearing on behalf of the respondent police submitted that the petitioner has settled the amount of Rs.5,89,169/- to 31 beneficiaries.

5. The learned Counsel on behalf of the petitioner submitted that the petitioner was not intending to swindle the amount and he was not in a position to pay the amount to the beneficiaries since they did not have any bank account. Therefore, the amount was deposited in his account and thereafter, it was settled by way of cash to the beneficiaries. Hence, the case.

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

7. Taking into consideration the facts and circumstances of the case and also the fact that the amount has now been settled to the beneficiaries, this Court is inclined to



CRL OP(MD)No.18149 of 2024

grant anticipatory bail to the petitioner subject to the following conditions.

WEB COPY

8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Manamelkudi 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 said Magistrate, 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 at 5.30 p.m. on every Monday for a period of four 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;

[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



CRL OP(MD)No.18149 of 2024

WEB COPY

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;

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

sd/-
08/11/2024

/ TRUE COPY /

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

RJR
TO

1 THE JUDICIAL MAGISTRATE,
MANAMELKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
MANAMELKUDI POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-13791[I] dated 11/11/2024)



WEB COPY



CRL OP(MD)No.18149 of 2024

ORDER
IN
CRL OP(MD) No.18149 of 2024
Date :08/11/2024

SA/SAR. /23.11.2024/5P/6C

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