



CRL OP(MD). No.18615 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Charles @ Peter Paul Charles

2. Samraj @ Shankar Narayanan

... Petitioners/ Accused 2 & 3

Vs

The State of Tamil Nadu,
Rep By, the Inspector of Police,
District Crime Branch,
Thoothukudi District.
(Crime No.28 of 2024).

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.28 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 120B, 294(b), 506(i) IPC in Crime No.28 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the the defacto complainant is running a business and he had supplied goods to the accused persons. Towards the same, some amount was due and payable to the defacto complainant to the tune of Rs.48,01,275/-. Since this amount was not paid, a police complaint came to be given before the respondent Police.

3.In this case, there are totally 3 accused persons and the petitioners have been arrayed as A2 and A3. A2 is the Accountant working with A1 and A3 is the friend of A1.

4.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

5.A1 had earlier filed petition for anticipatory bail in Crl.O.P(MD) No.18479 of 2024. The parties were referred to mediation. They were not able to reach any settlement. Hence, the matter was sent back to the Court. This Court, by order, dated 27.11.2024 granted anticipatory bail to A1.

6.Taking into consideration of the facts and circumstances of the case and



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the fact that there was a money transaction between the parties, this Court is inclined to grant to grant anticipatory bail to the petitioners.

7. Accordingly, this criminal original petition is ordered and the petitioners are 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 learned Judicial Magistrate No.IV, Thoothukudi, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioners shall report before the respondent police as and when required for interrogation.



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[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;

[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 269 of BNS Act.

sd/-
04/12/2024

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/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO
1 THE JUDICIAL MAGISTRATE NO.IV,
THOOTHUKUDI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-14919[I] dated 04/12/2024)

ORDER
IN
CRL OP(MD) No.18615 of 2024
Date :04/12/2024

SA/GSV/SAR. /11.12.2024/5P/6C

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