



CRL OP(MD). No.18689 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18689 of 2024

M.Manimegalai

... Petitioner/ Accused No.2

Vs

The State through,
The Inspector of Police,
Manachanallur Police Station,
Trichy District.
(Crime No.403 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.T.Lenin Kumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C



CRL OP(MD). No.18689 of 2024

PRAYER :-
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For Anticipatory Bail in Crime No.403 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409 and 420 of IPC, in Crime No.403 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Regional Manager, State Bank of India, Trichy. The petitioner and the other accused are said to have pledged the spurious gold with the bank and got a loan amount of Rs.25,00,000/-. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner joined hands with the other accused, pledged the spurious gold with the bank and got loan amount of Rs.25,00,000/- and that subsequently, the accused No.1 has repaid the amount of Rs.23,00,000/- and considering the argument of the learned counsel for the



CRL OP(MD). No.18689 of 2024

petitioner that the petitioner did not know that the jewels were replaced by A1, this

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Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Trichy, 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 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 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;

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



CRL OP(MD). No.18689 of 2024

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(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 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/-
29/10/2024

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/11/2024

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

DSS

TO

1. THE JUDICIAL MAGISTRATE NO.III,
TRICHY.



CRL OP(MD). No.18689 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-13492[I] dated 30/10/2024)

ORDER
IN
CRL OP(MD) No.18689 of 2024
Date :29/10/2024

RK/VR(21/11/2024) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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