



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19145 of 2024

1.Thirumalaikumar

2.Rani

... Petitioners / Accused 1&2

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Medical College Police Station,

Tirunelveli District.

(Crime No.273 of 2023)

... Respondent/Complainant

For Petitioner : M/s.M.Ajmal Khan,
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.273/2023 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 406, 420, 294(b) and 506(2) of IPC, in Crime No.273 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners, who are husband and wife, are known to the defacto complainant. They informed the defacto complainant that they know persons working in Secretariat and that they will secure a job. On such false promise, they received a sum of Rs.3,00,000/- from the defacto complainant. Ultimately, no job was secured and when the defacto complainant demanded for the money, A1 is said to have threatened with dire consequences.

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

4. Taking into consideration the facts and circumstances of the case and also of the fact that the issue involves a money transaction between the parties and the allegations made by the defacto complainant does not require any custodial interrogation, this Court is inclined anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which

the order copy made ready, before the learned Judicial Magistrate Court No.I,

<https://www.mhc.tn.gov.in/judis>



Tirunelveli, on condition that the petitioners 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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.

[b] the 2nd petitioner shall appear before the respondent police as and when required for interrogation and the 1st petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under

Section 229A IPC.

sd/-
07/11/2024
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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate Court No.I,
Tirunelveli.
- 2.Do Through
The Chief Judicial Magistrate Court No.I,
Tirunelveli.
3. The Inspector of Police,
Medical College Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. AJMAL ASSOCIATES Advocate SR.No.63644 dated 08/11/2024

ORDER IN
CRL OP(MD) No.19145 of 2024
Date :07/11/2024

KVL/23.11.2024 4P/6C

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