



CRL OP(MD). No.19760 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19760 of 2024

Pechimuthu

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
City Crime Branch,
Madurai City.
Crime No. 47 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.V. Neelakandan, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 47 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 petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 of IPC in Crime No.47 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 were negotiating with the defacto complainant for sale of a property and they also entered into a sale agreement. The subject property is a Government property and in spite of the same, such sale agreement was entered into. Thereafter, A3 is said to have assured the defacto complainant that he will get the government land converted into a patta property and has received a sum of Rs.17,00,000/- from the defacto complainant. There are totally four accused persons in this case and the petitioner has been arrayed as A4.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and the fact that there are no previous bad antecedents against the petitioner and the entire case is borne out by records and also considering the fact that A3 has already been enlarged on anticipatory bail by this Court in Crl.O.P(MD) No.19643 of 2024,



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dated 14.11.2024, this Court is inclined to grant anticipatory bail to the petitioner.

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5. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of 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 No.I, Madurai, 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[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 interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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;

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

sd/-
15/11/2024

/ TRUE COPY /

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

PNM

TO

1. The Judicial Magistrate No.I, Madurai,
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
City Crime Branch,
Madurai City.

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



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.KARTHIK, Advocate (SR-14116[I] dated 18/11/2024)

ORDER
IN
CRL OP(MD) No.19760 of 2024
Date :15/11/2024

RK/GSV(20/11/2024) 5P / 6C

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