



CRL OP(MD). No.20419 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20419 of 2024

1.Mohammed Asif Hameed

2.Jahira Jahan

3.Abdul Razick

...Petitioners/ Accused 1 to 3

Vs

Sate of Tamil Nadu,
Rep by Inspector of Police,
Tenkasi Police Station,
Tenkasi District,
Crime No.530 of 2024

...Respondent/ Complainant

For Petitioners: Mr.M.Karunanithi, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.530 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294(b), 406, 420 and 506(ii) IPC in Crime No.530 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons received a sum of Rs.1 lakh from the defacto complainant and later cheated him by not selling the second-hand Car in favour of the defacto complainant.

3. Heard the learned appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that there was a money transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, 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, Tenkasi on condition that the petitioners shall execute a bond for a sum of



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Rs.10,000/- (Rupees ten thousand only), each with two common 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 shall report before the respondent police 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 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;



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

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Section 229-A IPC.

sd/-
25/11/2024

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

TA

To

1.The Judicial Magistrate,
Tenkasi.

2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

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

ORDER
IN
CRL OP(MD) No.20419 of 2024
Date :25/11/2024



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ED/ GSV /SAR- (05/12/2024) 5P / 5C

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