



CRL OP(MD). No.21522 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Jeyaprakash

2. Deepa

... Petitioners/ Accused Rank No.5 & 7

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
Crime No.79 of 2024..

2. The Inspector of Police,
District Crime Branch,
Virudhunagar District.

... Respondents/Complainants

For Petitioners : Mr.K. Muthurakkan, Advocate

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

For Intervener : Mr.V.S.Karthik, Advocate



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime no.79 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 109 @ Section 406, 409, 420, 109, 465, 468, 471 and 120(b) of I.P.C., in Crime No. 79 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that an inspection was conducted for the period from 26.02.2024 to 28.02.2024 for nearly 245 jewel loan accounts. Out of the same, it was found that in 126 accounts, bogus/fake jewelry has been pledged and the amount has been swindled. There are totally 9 accused persons in this case and the petitioners have been arrayed as A7 and A9.

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

4.In the instant case, according to the prosecution, the role played by the



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petitioners is that they had forged documents and allowed A1 to open jewel loan account.

5.In this case, A1 and A2 who are the kingpin were released on statutory bail. A3, A4 and A8 were also granted anticipatory bail by this Court. A6 has also been released on bail. The respondent police did not take any of the accused persons on police custody and there is no recovery till now. Therefore, subjecting the petitioners to custodial interrogation will not serve any purpose. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.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.I, Sivakasi, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 and the sureties shall affix their photographs and Left Thumb



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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 daily at 10.30 a.m., and 05.30 p.m., until further orders.

[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/-
09/12/2024

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/12/2024

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

PNM

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1. The Judicial Magistrate No.I, Sivakasi, Virudhunagar District,
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur.
3. The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
4. The Inspector of Police,
District Crime Branch,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.VEERAPANDI SELVARAJ, Advocate (SR-15218[I] dated 10/12/2024)

ORDER
IN
CRL OP(MD) No.21522 of 2024
Date :09/12/2024

RK/SKN (16/12/2024) 5P / 7C

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