



CRL OP(MD). No.21542 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21542 of 2024

Mahesh @ Maheswaran

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep By,
The Inspector of Police,
District Crime Branch,
Theni. Cr.No.29/2024.

... Respondent/Complainant

For Petitioner : Mr.B Jeyakumar, Advocate

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

For Intervenor : Mr.V.S.Rishikesh, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.29 of 2024 on the file of the respondent police.

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



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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 417, 420, 120B and 506(1) of IPC in Crime No.29 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the property originally belonged to the defacto complainant. A power of attorney was executed by the defacto complainant in favour of A1. A1 in his capacity as an agent sold the property to A2. Yet another sale deed was also executed in favour of A2 by the relative of the defacto complainant. The accounts was not settled to the defacto complainant and in both the sale deeds, the same cheque number was found. While so, A4 is said to have entered the property for cleaning the same and when the same was questioned, he had threatened the defacto complainant with dire consequences. 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



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considering the fact that the only allegation made against the petitioner is that he had threatened the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner. 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, Theni, 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 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 269 of BNS 2023.

sd/-
13/12/2024

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/12/2024

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

LR

TO

1. THE JUDICIAL MAGISTRATE, THENI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI.



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

+1 CC to M/s.B.JEYAKUMAR, Advocate (SR-15456[I] dated 16/12/2024)

ORDER
IN
CRL OP(MD) No.21542 of 2024
Date :13/12/2024

RK/SKN (20/12/2024) 5P / 6C

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