



CRL OP(MD). No.21770 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 11/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Prabhu

... Petitioner/ Accused 2

Vs

State of Tamil Nadu,  
The Inspector of Police,  
Annanagar Poice Station,  
Madurai District.  
(Cr.No.745 of 2024).

... Respondent/Complainant

For Petitioner : Mr.J.Sankarapandian, 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.745 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 120(B), 406 and 420 IPC in Crime No.745 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was the owner of the property. She and her husband had availed mortgage loan from a private financial company to the tune of Rs.6,00,000/-. A1 was introduced to the defacto complainant and he informed that arrangement will be made to close the mortgage loan and to arrange for further mortgage loan. A4 introduced one Manikandan, who financed and closed the mortgage loan availed by the defacto complainant. Thereafter, the original documents were handed over to A4. The understanding was that the sale deed will be executed in favour of A4 and he will mortgage the property and will pay a sum of Rs.26,00,000/- to the defacto complainant. However, the sale deed was executed in favour of the petitioner and the accused persons did not act in accordance with the promise that was made to the defacto complainant. There are totally two accused persons in this case and the petitioner has been arrayed as A2.

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 nature of transaction between the parties and also considering the fact that the entire transaction is borne out by records and custodial interrogation may not be required in this case and also considering the fact that A1 was already granted anticipatory bail by this Court in Crl.O.P(MD)No.20671 of 2024 on 27.11.2024, 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 No.VI, 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 every Monday,



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Wednesday and Friday at 05.30 p.m. for a period of four weeks and thereafter, as and  
when required for interrogation;

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

[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/-  
11/12/2024

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

LR  
TO  
1 THE JUDICIAL MAGISTRATE NO.VI,  
MADURAI.



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2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
ANNANAGAR POICE STATION,  
MADURAI DISTRICT.

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

+1 CC to M/s.J.SANKARAPANDIAN, Advocate ( SR-15276[I] dated 11/12/2024 )

ORDER  
IN  
CRL OP(MD) No.21770 of 2024  
Date :11/12/2024

SA/SKN/SAR. /20.12.2024/5P/6C

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