



CRL OP(MD) No.22463 of 2023

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

Friday, the Fifth day of January Two Thousand and Twenty Four  
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22463 of 2023

PON.MUTHUKUMAR ... PETITIONER / PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE  
VENGAMEDU POLICE STATION,  
KARUR DISTRICT.

CRIME NO.267 OF 2023. ... RESPONDENT / RESPONDENT/ COMPLAINANT

For Petitioner : Mr.M.PITCHAI MUTHU, Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.267 OF 2023 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police  
for the alleged offence under Sections 420, 448 and 506(i) IPC, in Crime No.267 of  
2023, seeks anticipatory bail.



**CRL OP(MD) No.22463 of 2023**

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2.The case of the prosecution is that the petitioner is the Trustee of En Nanban Trust, Karur and received a sum of Rs.10,000/- each from the defacto complainant and nine others in order to get E-patta from the Government, but, he neither arranged the patta nor returned the amount and when the defacto complainant questioned the same, the petitioner threatened her with dire consequences and cheated the defacto complainant and others. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that he has not received any amount from the defacto complainant and others. However, on instructions, he would further submit that the petitioner is ready to deposit a sum of Rs.75,000/- before the trial Court without prejudice to his rights and contentions and the trial Court may disburse a sum of Rs.7,500/- each to the defacto complainant and nine others, after obtaining an appropriate affidavit/s that if the petitioner succeeds in the trial, liberty may be given to the petitioner for refund of the said amount. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is running a Trust and collected a sum of Rs.10,000/- each from the defacto complainant and nine others in the guise of



CRL OP(MD) No.22463 of 2023

arranging a patta, however, he has not arranged the patta and not given the amount to the defacto complainant and others. Hence, the complaint.

5. Considering the facts and circumstances of the case and the fact that the petitioner is ready to deposit a sum of Rs.75,000/- before the trial Court without prejudice to his rights and contentions, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on 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, Karur** 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 learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



**CRL OP(MD) No.22463 of 2023**

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(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioner shall pay a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) before the learned Judicial Magistrate No.1, Karur, without prejudice to his defence and the trial Court may disburse a sum of Rs.7,500/- each, ie., to the defacto complainant and nine others, after obtaining appropriate affidavit/s that if the petitioner succeeds in the trial, he is entitled for the said amount;

**(d)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;**

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;

(g)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;



CRL OP(MD) No.22463 of 2023

(h)if the accused thereafter absconds, a fresh FIR can be registered under  
Section 229-A IPC;

sd/-  
05/01/2024

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/01/2024

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

SSB  
TO

1 THE JUDICIAL MAGISTRATE NO.I  
KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KARUR.

3 THE INSPECTOR OF POLICE  
VENGAMEDU POLICE STATION,  
KARUR DISTRICT.

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

ORDER  
IN

CRL OP(MD) No.22463 of 2023  
Date :05/01/2024

SS/DD/SAR- /24/01/2024/5P/5C

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