



CRL OP(MD). No.22498 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Selvakumar

2.Shenbagakumar

... Petitioners / Accused 1 & 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.347 of 2023)

... Respondent/Complainant

For Petitioners : Mr.V.Karuna,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)
Mr.M.Maharaja for intervenor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 347 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 294(b), 323, 406, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman (Amendment) Act 2002, in Crime No.347 of 2023 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.6,00,000/- with the promise that they will sell the property to the defacto complainant. The property was not sold and it was sold in favour of another person. Out of total amount of Rs.6,00,000/-, only a sum of Rs.3,00,000/- was repaid back.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the transaction between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Aathur, Dindigul 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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.

[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



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investigation or trial.

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[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 petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

sd/-
19/12/2024

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/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN
TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, AATHUR, DINDIGUL DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
SEMPATTI POLICE STATION,
SEMPATTI,
DINDIGUL DISTRICT.

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

+1 CC to M/s.V.KARUNA, Advocate (SR-15677[I] dated 19/12/2024)

ORDER
IN

CRL OP(MD) No.22498 of 2024

Date :19/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

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