



CRL OP(MD). No.36 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.36 of 2025

Sekar

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(Crime No.211 of 2024)

... Respondent/Complainant

For Petitioner : Mr.A.C.Asaithambi,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 211 of 2024 on the file of the respondent police.



CRL OP(MD). No.36 of 2025

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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 120(B), 406, 420 of IPC, in Crime No.211 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is a temporary road worker in the Highways Department. He promised the defacto complainant that he will get a job at the Highways Department. Believing the same, the defacto complainant paid a sum of Rs.9,60,900/- by way of bank transaction and Rs.1,21,000/- by way of cash. Later, the job was not secured and amount was also not repaid back. Thus, it is alleged that the defacto complainant was cheated to the tune of Rs.10,81,900/-. The petitioner is arrayed as A3 and he is the father of A1 and the allegation against the petitioner is that a small portion of cash was also paid to the petitioner.

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

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CRL OP(MD). No.36 of 2025

considering the fact that the petitioner is the father of A1 and the allegation is that a small portion of cash was paid to the petitioner also and considering the fact that A1 has already been arrested in this case and taking note of the age of the petitioner and there are no bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner 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 on which the order copy made ready, before the learned Judicial Magistrate Court, Thiruchuli, Virudhunagar District, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.



CRL OP(MD). No.36 of 2025

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[b] the petitioner shall report before the respondent police on every Monday at 10.30 a.m. for a period of 6 weeks and thereafter, as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

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

sd/-
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/01/2025

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

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TO

1. THE JUDICIAL MAGISTRATE , THIRUCHULI, VIRUDHUNAGAR DISTRICT,

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CRL OP(MD). No.36 of 2025

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-148[I] dated 07/01/2025)

ORDER
IN
CRL OP(MD) No.36 of 2025
Date :06/01/2025

RK/SKN (08/01/2025) 5P / 6C

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