



CRL OP(MD). No.37 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.37 of 2025

C.M.Faizal Ahamed

... Petitioner / Accused No.5

Vs

1.The State of Tamil Nadu
Represented by the Inspector of Police,
Central Crime Branch Police Station,
Madurai, Madurai City.
(Crime No.56 of 2024)

... Respondent/Complainant

2.Thiyagarajan

... Petitioner / Intervener
in CRL MP(MD) No.112 of 2025

For Petitioner : Mr.Niranjana S.Kumar, Advocate

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

For Intervenor : Mr.R.Suriya Narayanan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 56 of 2024 on the file of the respondent police.



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 offences under Sections 420 and 120B of IPC, in Crime No.56 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 promised to sell a property in favour of the defacto complainant for a total consideration of Rs.6.50 crores, out of which, A1 received an advance amount of Rs.1.50 crores in the year of 2019 by way of cash. Thereafter, A1 is said to have executed sale deed in favour of the third party in the year 2020. When the same was questioned, A1 promised that there is a common property in which all the family members have a share and that these properties will be partitioned and a portion will be sold in favour of the defacto complainant. However, subsequently at the time of partition, no share was granted in favour of A1. Thereby, it is alleged that the defacto complainant was cheated by the accused persons. There are totally 5 accused persons in this case and the petitioner has been arrayed as A5 and he is said to be the brother of A1.

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 fact that the entire case is borne out by records and custodial



interrogation may not be required in this case, this Court is inclined to grant
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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 No.I, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

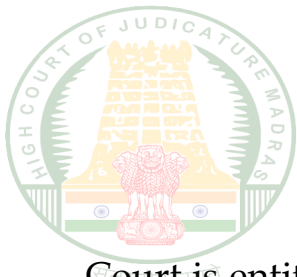
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police 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



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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/-
06/01/2025

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

PAL

To

- 1.The Judicial Magistrate No.I,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Inspector of Police,
Central Crime Branch Police Station,
Madurai, Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.37 of 2025
Date :06/01/2025

ED/ SKN /SAR- (27/01/2025) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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