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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.796 of 2025

Deepak Raja

... Petitioner / Accused No.4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
District Crime Branch,
Theni.
(Crime No.1 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.Prabhu,
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. 1 of 2025 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis/>



WJ ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 420, 120B of IPC, 1980 and Sections 4(1), 14 and 76(1) of the Chit Funds Act, 1982, in Crime No.1 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were running an unregistered chit fund. It is alleged that 4 persons have been cheated to the tune of Rs.23.14 lakhs. There are totally 5 accused persons in this case and the petitioner has been arrayed as A4. He is the son of A1.

3. When the matter came up for hearing on 20.01.2025, a specific stand was taken on the side of the petitioner to the effect that the petitioner is a college student studying MBBS course in the Government Medical College, Theni. It was therefore submitted that the petitioner has nothing to do with the chit fund business that was run by A1.

4. In the light of the above submission, this Court directed the learned

Government Advocate (Criminal Side) to take instructions.



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5. When the matter was taken up for hearing today, the learned Government Advocate (Criminal Side) confirmed the fact that the petitioner is studying MBBS course. However, it was submitted that there are materials to show that a sum of Rs.1,26,000/- had come into the account of the petitioner and the same is substantiated by means of the letter received from the Bank Manager.

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

7. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is a college student and he happens to be the son of A1 and taking note of the fact that some amount has come into the account of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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, Theni,



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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 deposit a sum of Rs.1 lakh to the credit of crime no.1 of 2025 on the file of the learned Judicial Magistrate, Theni within a period of 4 weeks from the date of receipt of a copy of this order.

[c] the petitioner shall appear before the respondent police as and when required for interrogation.

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



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[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].

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

Sd/-
23.01.2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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1 THE JUDICIAL MAGISTRATE, THENI.

2 DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THENI, THENI DISTRICT.

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

+1 CC to M/s.K.PRABHU, Advocate (SR-878[I] dated 27/01/2025)

ORDER

IN

CRL OP(MD) No.796 of 2025

Date :23/01/2025

ES/SKN/SAR. /12.02.2025/6P/6C

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