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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :21.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.914 of 2025

Muthuraja

...Petitioner/1st Accused

Vs

The State of Tamil Nadu
Rep.by, The Inspector of Police,
Thatchanallur Police Station, Tirunelveli City.
(Crime No.8 of 2025)

...Respondent/Complainant

For Petitioner(s):

M/s.R.Pon Karthikeyan, Advocate

For Respondent(s):

Thanga Aravindh.B,
Government Advocate (Criminal side)



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

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PRAYER :-

For Anticipatory Bail in Crime No. 8 of 2025 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 offences under Section 318(4), 351(3) of BNS, 2023 in Crime No.8 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant wanted to purchase the game centre and hence paid an advance amount of Rs.3.5 lakhs. Subsequently, the defacto complainant was asked to pay a sum of Rs.19,50,000/- as balance consideration. This amount was also taken by the accused persons and neither the game centre was sold nor the amount was repaid back. There are totally one named accused and three unnamed accused persons in this case.

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 there was a money transaction between the parties and considering the defence taken by the petitioner that a sum of Rs.1,98,000 was repaid back to the defacto complainant, out of the total borrowal of Rs.3.5 lakhs, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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. IV, Tirunelveli 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 report before the respondent police as and when required for interrogation.

[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
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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/-
21/01/2025

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

sma

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRAE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
THATCHANALLUR POLICE STATION,
TIRUNELVELI CITY.

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

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-603[I] dated 22/01/2025)



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ORDER

IN

CRL OP(MD) No.914 of 2025

Date :21/01/2025

NBF / SAR- (12/02/2025) 5P/6C

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