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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1091 of 2025

A.Velumani @ Velmani

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep By,
The Sub Inspector of Police,
Kottampatty Police Station,
Madurai District.
Crime No.62 of 2019.

... Respondent/Complainant

For Petitioner : Mr.R.Rajaraman, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.62 of 2019 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 offence under Sections 465, 467, 471, 406, 420 and 506(2) of IPC in Crime No.62 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had taken a loan from the Society and it was also repaid back. While so, the accused persons created forged documents as if the defacto complainant obtained another loan of Rs.67,000/-. When the same was questioned, the defacto complainant was threatened with dire consequences. There are totally two accused persons in this case and the petitioner has been arrayed as A2. It is informed to this Court that A1 died in this case.

3.The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that the investigation has been completed and the police report has been filed before the learned Judicial Magistrate, Melur. It was further submitted that the petitioner has been shown as absconding accused in this case.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent police.



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5. Taking into consideration the facts and circumstances of the case and considering the fact that the investigation has been completed and the police report has been filed, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall appear before the trial Court during every date of hearing without fail.



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

[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]; and;

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

Sd/-
22/01/2025

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

LR
TO

1 THE JUDICIAL MAGISTRATE
MELUR.



2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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3 THE SUB INSPECTOR OF POLICE,
KOTTAMPATTY POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.R.RAJARAMAN, Advocate (SR-666[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) No.1091 of 2025
Date :22/01/2025

ES/SKN/SAR. /13.02.2025/5P/6C

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