



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1220 of 2025

Vasanthakumar

... Petitioner / Accused No.6

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
District Crime Branch,
Tenkasi District.
(Crime No.7 of 2024)

... Respondent / Complainant

For Petitioner : Mr.C.Mayilvahana Rajendran,
Advocate

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

For Intervenor : Mr.B.Anandan, Advocate

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



PRAYER:-

For Anticipatory Bail in Crime No.7 of 2024 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 Sections 316(2), 318(3), 318(4), 338, 339, 61(2) and 351(2) of BNS 2023, in Crime No. 7 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant approached A1 for getting a loan for running his business. A1 assured the defacto complainant that he will make necessary arrangements for the loan. For this purpose, A1 was insisting for the execution of a Memorandum of Understanding in favour of the company. A1 also insisted that the defacto complainant must pay 1% out of the total loan amount which works out to Rs.50 lakhs. This amount was handed over by the defacto complainant to A1. Subsequently, it came to light that all the accused persons joined together and had cheated the defacto complainant. There are totally 12 accused persons in this case (initially 7 accused persons and subsequently 5 accused persons were added). The petitioner has been arrayed as A6. The overt act attributed against



WEB COPY

the petitioner is that he is the relative of A1 and he is also an advocate who had prepared the Memorandum of Understanding and he had also received his commission. A1 to A3, A7 to A9 and A11 were arrested 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 specific overt act that has been attributed against the petitioner and also considering the fact that A1 to A3, A7 to A9 were arrested and later released on bail and taking note of the fact that the investigation officer in the course of investigation has seized gold jewelry to the tune of 333.29 grams and an innova car and cash Rs.1,06,000/- and also taking note of the fact that there are no cases 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 No.I, Tirunelveli,



WEB COPY

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 on every Monday and Friday at 10.30 a.m., for a period of four weeks and thereafter, 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.



WEB COPY

[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/-
30/01/2025

/ TRUE COPY /

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

pkn

TO

1 THE JUDICIAL MAGISTRATE, NO.I,
TIRUNELVELI.

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



WEB COPY

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TENKASI DISTRICT.

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-1270[I] dated 31/01/2025)

+1 CC to M/s.B.ANANDAN, Advocate (SR-1274[I] dated 31/01/2025)

ORDER

IN

CRL OP(MD) No.1220 of 2025

Date :30/01/2025

ES/SKN/SAR /07.02.2025/ 6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023.