



CRL OP(MD). No.1704 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1704 of 2025

Raja

... Petitioner / Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.620 of 2024)

... Respondent/Complainant

For Petitioner : Mr.RL Dhilipan Pandian,
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. 620 of 2024 on the file of the respondent police.



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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 316(4) and 318(4) of BNS 2023, in Crime No.620 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as a Postmaster and he is said to have misappropriated a total sum of Rs.21,000/-. After this came to light, the petitioner is said to have admitted misappropriation and had also repaid back the amount. It is under these circumstances, the complaint was given against the petitioner.

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 petitioner has repaid back the amount even before the registration of the FIR, 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.II, Thanjavur, 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.



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[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/-
29/01/2025

/ 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.II
THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
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Date :29/01/2025

SS/SKN/SAR- /13/02/2025/ 5P/5C

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