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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.1890 of 2025

1.T.Jayaram

2.Ashwini

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Subramaniapuram Police Station,
Madurai District.
(Crime No.6 of 2025)

... Respondent/Complainant

For Petitioners : Mr.M.S.Swathish Kumar,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
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. 6 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 420 of IPC, 1860, in Crime No.6 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners received a total sum of Rs.7,07,000/- on the promise that they will get central Government Job for the son of the defacto complainant. Later, the amount was not returned and no job was secured.

3. The learned counsel for the petitioner submitted that the money transaction between the parties is sought to be given a criminal colour by making an allegation that the petitioners promised to secure a job to the son of the defacto complainant.

4. The learned Government Advocate (Criminal Side) submitted that a sum of Rs.4,37,000/- was paid by way of bank transfer and the balance amount was paid by way of cash. On receiving the same, the petitioners cheated the defacto complainant.



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

6. Taking into consideration the facts and circumstances of the case and considering the nature of transaction between the parties and the specific stand taken by the petitioners and also considering the fact that the case in hand does not involve any preparation of forged appointment orders and there are no previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.IV, Madurai, on condition that the petitioners 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:



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[a] the petitioners 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 petitioners shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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. IPC.

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.

PAL
TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
- 2 DO-THROUGH-THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SUBRAMANIAPURAM POLICE STATION,
MADURAI CITY,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.SWATHISH KUMAR, Advocate (SR-1195[I] dated 31/01/2025)

ORDER IN
CRL OP(MD) No.1890 of 2025
Date :30/01/2025

ES/SKN/SAR/18.02.2025/5P/6C

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