



CRL OP(MD). No.2440 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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1.Jegankumar
2.Arunapriya

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Elayirampennai Police Station,
Virudhunagar District.
Crime No.33 of 2025.

... Respondent/ Complainant

For Petitioners : Mr.N.Mariappan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory bail in Crime No.33 of 2025 on the file of the Respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 05.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2. The petitioners/Accused Nos.1 and 2 apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 406 and 420 of IPC in Crime No.33 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the first petitioner and the defacto complainant are relatives. Believing the words of the first petitioner that the second petitioner, who is the Dean of Thanjavur Health Department, is having good acquaintance in the Secretariat and hence, if the defacto complainant pays a sum of Rs.5,00,000/-, she will secure a job in Government Department for the defacto complainant, the defacto complainant gave a sum of Rs.5,26,501/- through the bank accounts of the second petitioner and also her driver Veerapandi between 20.03.2023 and 29.05.2023. After receiving the amount, the second petitioner showed a fake appointment order, however, did not give the same to the defacto complainant. The



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accused persons did not return the amount and secure a job for the defacto complainant. Hence, the case.

4. Mr.N.Mariappan, the learned counsel appearing for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He however submits that the petitioners are ready to pay a sum of Rs.3,00,000/- to show their *bonafide*. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-Police, submits that the petitioners, by giving a false promise to the defacto complainant, received a sum of Rs.5,26,501/-. He further submits that if this Court grants pre-arrest bail to the petitioners, they will commit similar type of offences and cause threat to the defacto complainant and the witnesses. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Since the petitioners claimed that they are ready to deposit a sum of

Rs.3,00,000/- to show their *bonafide*, this Court is of the view that custodial



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interrogation of the petitioners is not necessary in this case. That apart, the petitioners have permanent residence and hence, there is less possibility of absconding. Considering the same and considering the facts and circumstances of the case and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.I, Sattur, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate No.I, Sattur;

(ii) The petitioners shall, jointly and severally, deposit a sum of Rs.3,00,000/- to the credit of Crime No.33 of 2025, before the Judicial Magistrate No.I, Sattur;

(iii) Thereafter, the petitioners shall appear and sign before the respondent-Police weekly twice i.e., on every Monday and Friday at 10.00 a.m., until further orders;

(iv) The sureties shall affix their photographs and left thumb impression in the

Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(v) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Sattur;

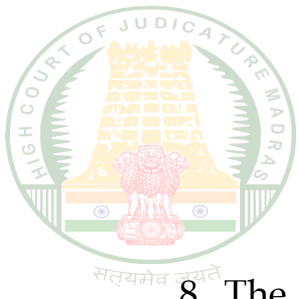
(vi) The petitioners shall make themselves available for interrogation by a police officer as and when required;

(vii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(viii) The petitioners shall not leave India without previous permission of the Court;

(ix) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.I, Sattur, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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8. The Judicial Magistrate No.I, Sattur is directed to deposit the amount of Rs.3,00,000/- to be deposited by the petitioners, in any nationalised bank in an interest-bearing Fixed Deposit, initially for a period of one year and thereafter, renew till the judgment is passed in the case in Crime No.33 of 2025;

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
24/02/2025

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/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD

TO

1 THE JUDICIAL MAGISTRATE NO.1
SATTUR

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
ELAYIRAMPANNAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.N.MARIAPPAN, Advocate (SR-2131[I] dated 26/02/2025)

ORDER

IN

CRL OP(MD) No.2440 of 2025

Date :24/02/2025

SS/SKN/SAR- /07/03/2025/ 7P/6C

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