



CRL OP(MD). No. 5438 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No. 5438 of 2025

N.Devarajan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Through the Sub Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
(Crime No.140 of 2025)

... Respondent/Complainant

For Petitioner : Mr.J.Balameenakshi

For Respondent : Mr.E.Antony Sahaya Prabahar
Addl. Public Prosecutor.

For Intervenor : Mr. J.Jenimukanna

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.140 of 2025 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of Indian Penal Code in Crime No. 140 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner received a sum of Rs.14,90,000/- from the defacto complainant by assuring that he would secure a job abroad. However, he neither obtained the job nor returned the said amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submits that A1 and A2 are husband and wife. He



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further submits that they received a sum of Rs.14,90,000/- from the defacto complainant by assuring him that they would secure a job abroad and thereby cheated him.

5. Taking into consideration of the facts and circumstances of the case and also considering the argument of the learned Counsel for the petitioner that the petitioner is ready to deposit a sum of Rs.5,00,000/-, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Magistrate Court, Eraniel, Kanniyakumari District, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakh Only), to the credit of Crime No.140 of 2025 before the learned Magistrate Court, Eraniel, Kanniyakumari District. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.140 of 2025. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders. He has to co-operate for the investigation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during



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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 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]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
22.10.2025

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To

1. The Magistrate,
Eraniel, Kanniyakumari District.
2. The Sub Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.5438 of 2025

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