



CRL OP(MD), No.7002 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.11.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.7002 of 2025

A.Kumar

... Petitioner/ Accused

Vs

The Inspector of Police,
Y.Othakkadai Police Station,
Madurai.
(Crime No/350 of 2022)

... Respondent

For Petitioner : Mr.R.Sevugaraja

For Respondent : M/s.M.Aasha
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act
2023.

PRAYER :-For Anticipatory Bail in Crime No.350 of 2022 on the file of
the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 406 and 420 of IPC, in Crime No.350 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had sold the property to the defacto complainant vide document No.6536 of 2008 by a registered sale deed and thereafter, again, the petitioner had sold out the property to the 1st accused and thereby, the petitioner along with other accused persons, had cheated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the 1st accused had filed a suit in O.S.No.268 of 2022 on the file of the District Munsif Court, Melur and the same is pending. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by



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this Court. Hence, he seeks anticipatory bail for the petitioner.

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4. The learned Government Advocate (Crl.Side) submitted that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that it is a case of a civil nature and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Judicial Magistrate, Melur, Madurai District, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d]the petitioner 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 petitioner is 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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

(S S Y J)
05.11.2025

msrm

To

- 1.The learned Judicial Magistrate,
Melur, Madurai District.
- 2.The The Inspector of Police,
Y.Othakkadai Police Station,
Madurai.
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.7002 of 2025**

05.11.2025