



CRL OP(MD)No.8702 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.05.2025

PRESENT

The HONOURABLE **MR.JUSTICE K.RAJASEKAR**

CRL OP(MD)No.8702 of 2025

Vinoth

...Petitioner/1st Accused

Vs

The State of Tamil Nadu,
represented by
The Inspector of Police,
District Crime Branch [DCB],
Thoothukudi District.
(Crime No.33 of 2024)

...Respondent/Complainant

For Petitioner : Mr.S.Poornachandran

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime.No.33 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/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 120(b) of IPC in Crime No. 33 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that an FIR came to be registered on 02.12.2024 based on information from one Nilofer. On the pretext of getting a job abroad, the petitioner and another person cheated the defacto complainant. On various occasions, the complainant paid Rs.4,85,000/- to the petitioner through e-transactions. Hence, the complaint.

3. The petitioner was originally arrested and granted interim bail by this Court in CrI.O.P.(MD)No.2468 of 2025 vide order dated 12.02.2025. While granting bail, this Court directed the petitioner to settle the issue amicably with the defacto complainant. Subsequently, on 28.03.2025, when the matter was listed, it was reported before this Court that the bail conditions imposed on 12.02.2025 were not complied with. Accordingly, this Court dismissed the bail petition.



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4. Now, the petitioner has filed the present Anticipatory Bail petition, stating that although he was previously arrested and released on interim bail, it was not extended and petition was dismissed on the ground that he had not complied with the bail condition requiring him to negotiate with the defacto complainant and settle the issue. However, the petitioner asserts that the matter has in fact been settled with the defacto complainant, and that there was no proper representation before this Court at the time of the final hearing of the earlier bail petition. Hence, he has now approached this Court with the present Anticipatory Bail petition.

5. On perusal of the order, it is seen that this Court had dismissed the bail petition. As per legal requirements, the petitioner ought to have surrendered before the Court or he should have filed a fresh bail petition either seeking continuation of the interim bail or for restoration of the earlier bail petition, which was dismissed based on the memo filed by the learned counsel for the petitioner.

6. In view of the above, I am of the considered opinion that the present Anticipatory Bail petition is not maintainable, as the petitioner's earlier interim bail petition has already been dismissed. The proper course available to the petitioner is to file a regular bail petition either seeking continuation of the interim bail or by



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surrendering before the jurisdictional Court and seeking appropriate relief.

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7. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

14/05/2025

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/05/2025

Sub Assistant Registrar
(CS-I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai.

Nsr

To:

1.The Judicial Magistrate Court IV,
Thoothukudi.

2.Do Through
The Chief Judicial Magistrate,
Thoothukudi.

3.The Inspector of Police,
District Crime Branch [DCB],
Thoothukudi District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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KVL - (27.05.2025) 5P/ 5C

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