



CRL OP(MD). No.10792 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Perumalsamy,
S/o.Karuppasamy,

: Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.234 of 2025)

: Respondent/Complainant

For Petitioner : Mr.P.Veerapandi,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.234 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4) of BNS in Crime No.234 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused is the uncle of the defacto complainant. In the year 2023, the petitioner along with other accused informed the defacto complainant that they will arrange a job in TNEB, demanded a sum of Rs.10,20,000/- and believing the same, the defacto complainant gave a sum of Rs.10,20,000/- to the accused on various dates through Phone Pay. However, the accused persons did not arrange the job and not repaid the amount and thereby 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. When the defacto complainant demanded the amount, the petitioner has returned Rs.1 lakh and he has also issued two post dated cheques. He further submitted that the petitioner is ready and willing to abide any conditions that may be imposed by this Court and seeks anticipatory bail.



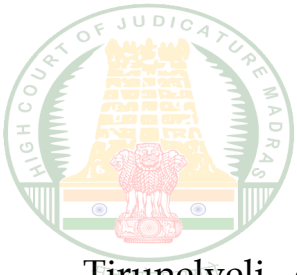
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4.The learned Government Advocate (Criminal Side) submitted that there are totally three accused involved in this case. The petitioner herein is arrayed as A3. It is a case of job-rocketing. The petitioner along with other accused informed the defacto complainant that they will arrange a job in TNEB and received a sum of Rs.10,20,000/- from the defacto complainant on various dates through Phone Pay. Thereafter, they have not arranged the job and not returned the amount. However, he opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, and taking into account of the fact that as per FIR, the occurrence alleged to have been taken on 13.05.2023 and FIR has been registered on 15.05.2025, by this time most of the investigation might have been completed and also taking note of the fact that the petitioner has already repaid Rs.1,00,000/-, 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 his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III,



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Tirunelveli, 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 Judicial Magistrate No.III, Tirunelveli, and on further conditions that:

(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 shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Tirunelveli. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Tirunelveli;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(e) the petitioner shall not abscond either during 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



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law as if the conditions have been imposed and the petitioner released on bail by
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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.

sd/-
04/08/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

1 The Judicial Magistrate No.III,
Tirunelveli.

2 Do Through
The Chief Judicial Magistrate,
Tirunelveli District.

3 The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.

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



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ORDER
IN
CRL OP(MD) No.10792 of 2025
Date :04/08/2025

NM/21.08.2025/ 6P/5C

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