



CRL OP(MD) NO. 11104 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-09-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 11104 of 2025

Kodieswaran

..Petitioner/ Accused Rank not known

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,
District Crime Branch,

Korampallam,

Thoothukudi.

(Crime No.Not Known of 2025)

Respondent(s)

For Petitioner(s):

Mr.M.Shunmalar

For Respondent(s):

Mr.A.S.Abul Kalaam Azad

Government Advocate (Crl. Side)

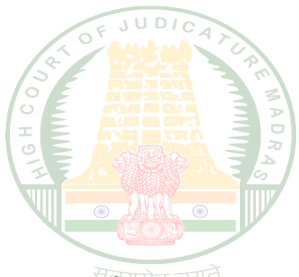
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.Not Known of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused Rank Not Known, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 316(2) and 318(4)



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of BNS, 2023, in Crime No. Not Known of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner has received a sum of Rs.14,45,000/- in six instalments from the defacto complainant for the purpose of investing in the share market business. Thereafter, the petitioner allegedly cheated the defacto complainant by failing to repay the said amount. Hence, a case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that in this case, the petitioner allegedly cheated the defacto complainant by failing to repay the amount of Rs.14,45,000/-. There are no previous cases registered against the petitioner. Since the FIR has not yet been registered, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the



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petitioner, subject to certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of 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.I, Thoothukudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Thoothukudi, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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.I, Thoothukudi. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.I, Thoothukudi;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

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



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investigation or trial;

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(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 law as if the conditions have been imposed and the petitioner 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-

02/09/2025

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

vsg

To

1.The Judicial Magistrate No.I, Thoothukudi.

2.The Inspector Of Police, District Crime Branch, Korampallam, Thoothukudi.

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



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+1 CC to M/s.M.SHUNMALAR, Advocate (SR-9544[I] dated 03/09/2025)

ORDER

IN

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Date :02/09/2025

NBF/15/09/2025/ 5P/5C

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