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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 12030 of 2025

1. Senthil Pandi

2. Manimala

Petitioner(s)

Vs

The State of Tamil Nadu
Rep by The Inspector of Police, Allinagaram
Police station, Theni District. Crime No.
159/2025

Respondent(s)

For Petitioner(s):

M/s.P.Muthu Vijaya Pandian

For Respondent(s):

Mr.A.S.Abul Kalaam Azad,
Government Advocate (crl. Side), for R-1

For Intervenor :

Mr.A.Uthayakumar

Prayer: For Anticipatory Bail in Crime No.159 of 2025 on the file of the respondent Police.



ORDER

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The petitioners/A-1 & A-2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 336, 506(2), 406, 420 of IPC, in Crime No.159 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons have cheated the complainant of about Rs.25 lakhs by promising to get a government job for her daughter and also threatened to kill her when she asked about it. Hence, a case has been registered as against the petitioner.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He further submitted that by order of this Court the petitioners already have deposited Rs.1 lakh to the credit of crime number and further now they are ready and willing to deposit Rs.9,50,000/- on condition that the defacto complainant should return the four cheques, three pro notes and one untitled Rs.20/- stamp paper. Therefore, he seeks this Court to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the real transaction between the defacto complainant and the petitioners is sale of property and the sale consideration was fixed as Rs.42,65,000/-.

5.Considering the facts and circumstances of the case and also considering the fact that the property dispute is pending between the parties, the interim order already granted by this Court is made absolute and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. However, the earlier condition to file an undertaking affidavit directing the petitioner to give the schedule of payment is withdrawn.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners 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 Judicial Magistrate Court, Theni, 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 petitioners 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 petitioners are directed to deposit Rs.9,50,000/-to the credit of crime number and thereafter the same shall be deposited in anyone of the nationalised bank in interest accruing deposit.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners 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 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].



[g] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of BNS.

03.11.2025

[2/2]

KSA

To

1. The Judicial Magistrate Court, Theni.
2. The Inspector of Police, Allinagaram
Police station, Theni 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 made in
CRL OP(MD) NO.12030 of 2025

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