



CRL OP(MD). No.13149 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Ponsivakumar

... Petitioner/A2

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Theni Police Station, Theni.
(Crime No.247 of 2025)

... Respondent/Complainant

For Petitioner : Mr. G.Shabna

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. Side)

For Intervenor : Mr.T.Shantha Kumar

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.247/2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC, in Crime No.247 of 2025 on the file of the respondent police.

2. The case of the prosecution is that A1 received a sum of Rs.6,00,000/-(Rupees Six lakhs only) from the defacto complainant on the promise of getting a Government job to the defacto complainant's son and this petitioner/A2 introduced A1; thereafter A1 did not keep his promise and cheated the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. side) submitted that the investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate, Theni, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Theni, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the credit of the Crime No.247 of 2025 before the learned Judicial Magistrate, Theni. On such deposit, the interim anticipatory bail granted to the petitioner by this Court dated 22.09.2025, is made absolute. The deposited amount shall be kept in an interest accruing account in any one of the nationalized bank.

(c) 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;

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

07.10.2025

PJL

To

1.The Judicial Magistrate,
Theni.

2. The Inspector of Police,
Theni Police Station,
Theni.

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

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S.SRIMATHY, J

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