



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21279 of 2024

C. Ramesh Kumar

... Petitioner/ Accused 1

Vs

1. The State of Tamil Nadu,
Rep. by the Inspector of Police,
C-5, Karimedu Police Station (Crime),
Madurai City,
In Crime No. 878 of 2022..

2. Venkatachalapathi
(R2 is Suo-Motu Impleaded as
Per Order of the Court dated 05.12.2024)

... Respondents/ Complainants

For Petitioner : R.M.Makesh Kumarvel,

For R1 : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For R2 : Mr.S.Maya Perumal



WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 878 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 406 and 420 of IPC in Crime No.878 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons approached the defacto complainant and promised to get him a property at Chennai at a lesser price. By saying so, they received a sum of Rs.12,00,000/-. Thereafter, the property was not sold and the amount was also not returned back. There are totally two accused persons in this case and the petitioner has been arrayed as A1.

3.Considering the nature of dispute between the parties, they were referred to the Mediation Centre and the parties were not able to reach a settlement hence a mediation report has been sent stating that the petitioner was not willing for mediation and only the defacto complainant appeared during mediation. Accordingly, the matter has been listed before the Court.

4. Heard the learned counsel appearing for the petitioner and the learned



Government Advocate (Crl.Side) appearing for the respondent police.

WEB COPY

5. Taking into consideration the facts and circumstances of the case and the nature of dispute, custodial interrogation may not be required in this case and this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory 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.V, Madurai, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[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



investigation or trial;
WEB COPY

[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 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-

22/01/2025

/ TRUE COPY /

/02/2025

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

LR
TO

1 THE JUDICIAL MAGISTRATE NO.V,
MADURAI.



2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
C-5,
KARIMEDU POLICE STATION (CRIME),
MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.M.MAKESH KUMARAVEL, Advocate (SR-673[I] dated
23/01/2025)

ORDER
IN
CRL OP(MD) No.21279 of 2024
Date :22/01/2025

NBF / SKN / SAR- (06/02/2025) 5P / 6C

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