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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 27.01.2025

PRESENT

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.22965 of 2024

and

CrI.M.P.(MD) No.276 of 2025

1.Suresh Babu

2.Rajesh

... Petitioners/ Accused Rank not known

Vs

State Rep. by
The Inspector of Police,
SS Colony Police Station,
Madurai City.
Madurai District.
Crime No.134 of 2024)

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

For Intervenor : Mr.G.Karuppasamy Pandiyan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.



PRAYER:-

For Anticipatory Bail in Crime No.134 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 406, 420, 294(b) & 506(1) of Indian Penal Code, in Crime No.134 of 2024 on the file of the respondent police, seek anticipatory bail.

2. When the matter came up for hearing on 08.01.2025, this Court has passed the following order:

Petitioners are directed to appear before the respondent police on 10.01.2025 at 11.30 a.m. The enquiry shall be conducted by the respondent police and the same shall be informed to this Court.

2. Post this case on 27.01.2025. In the mean time, the respondent police shall not arrest the petitioners.

3. A status report has been filed. Afer the enquiry, the Investigation Officer has come to the following conclusion:



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During the inquiry and investigation and also the statements obtained from the complainant and counter petitioners, it came to clear that the records related to Rs.2 Lakhs given by Gunasekaran to Suresh Babu only is available as documentary evidence. Though Suresh Babu said that various remedial stones were given to Gunasekaran for the above said amount, there is no material evidence to prove his version.

Furthermore, it become apparent that Gunasekaran and Suresh Babu have been longtime friends and have frequently been involved in deceiving others. Both have made fraudulent promises to individuals for securing jobs or perform rituals to resolve their issued and thereby cheating the innocents in the society.

The investigation reveals that Gunasekaran and Suresh Babu had done many frauds and cheatings in various places, only the settlements have been done for Boopathy of Senkottai. The remaining victims persons viz. Geetha of Chennai and Shaul Majidh of Kadayanallur, cheated by Gunasekaran and Suresh Babu were occurred at Chennai and Senkottai, to hide out the facts of crime and



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to escape from the clutches of law, both the complainant in

Cr.No.134/24-Gunasekaran and the Anticipatory Bail Petition

Suresh Babu, Rajesh are giving the complaint against each others.

4. Heard the learned counsel on either side and perused the material records of the case.

5. Taking into consideration the facts and circumstances of the case and the status report filed before this Court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, Madurai, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall appear before the respondent Police as and when required for interrogation.

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

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 petitioners 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

Consequently, the connected Miscellaneous Petition is closed.

Sd/-
27/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

- 1 THE JUDICIAL MAGISTRATE NO.V, MADURAI.
- 2 DO -THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SS COLONY POLICE STATION,
MADURAI CITY, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.DINESH, Advocate (SR-996[I] dated 29/01/2025)

ORDER IN
CRL OP(MD) No.22965 of 2024
Date :27/01/2025

ES/SKN/SAR /03.02.2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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