



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3270 of 2015

V.T.NARAYANASAMY

... PETITIONER/ ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

MELUR POLICE STATION, MADURAI DISTRICT.

CR. NO.134/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.VEERA KATHIRAVAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 IPC in Crime No.134 of 2015 on the file of the respondent police, seeks anticipatory bail.

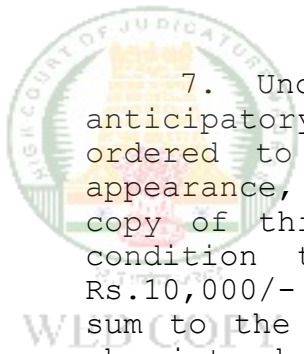
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. Learned Government Advocate (Crl.Side) submits that the defacto complainant had paid Rs.1.5 lakh to this petitioner for getting a job in Algeria and subsequently, this petitioner had cheated him.

4. This Court had called for the FIR and carefully perused the same. According to the defacto complainant, he approached one Ilakiyan, who promised him to get a job in Algeria and later the said Ilakiyan had taken the defacto complainant to this petitioner, who runs a company in the name and style of Surya Travels in Melur, Madurai. The defacto complainant has stated in the complaint that he had paid Rs.1.5 lakh to the petitioner and in the complaint, the defacto complainant clearly stated that he and others were sent to Algeria and the petitioner did not apprise them about the political and climatic condition in Algeria and therefore, they were not able to pursue job and were forced to return to India.

5. If this is the case of the prosecution, the petitioner cannot be blamed for that. The political and climatic condition prevailing in Algeria is very much available in Public Domain, if one looks into Google search.

[https://hcservices.courts.gov.in/hcservices/](https://hcservices.courts.gov.in/hcservices/courts/learn/hcservices/) Counsel for the petitioner submits that despite the FIR made against the petitioner, he has taken steps to pay for the return flight for the defacto complainant and others and produced the proof.



7. Under such circumstances, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, 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 Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

sd/-
26/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE,MELUR.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S.VEERA KATHIRAVAN Advocate SR.No.9135

ORDER
IN
CRL OP(MD) No.3270 of 2015
Date :26/02/2015

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