



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Third day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7775 of 2015

1 PADMA

2 S.SALEEM

..PETITIONERS/ACCUSED 1 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMAANTHAPURAM.
CR. NO. 23/2015.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MAHESWARAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Criminal Side)

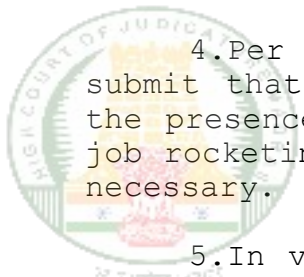
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 120(B) and 498(A) of I.P.C, in Crime No.23 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that one Muniyasamy retired Assistant Director of Panchayat gave a complaint lodging that his brother Manoharan was working as an Engineer in Agriculture Department and he has transferred from Ramanathapuram to Virudhunagar. Due to his ill health, they wanted again transfer to the same place and at that time Surendran, Revenue Inspector, Muthukaruppan Village Administrative Officer and his son Ragulganesh had introduced one Sathurtheen and he took the de-facto complainant to the first accused through her driver Saleem and they promised to get a transfer and received Rs.5 lakhs and thereafter, they demanded another Rs.8 lakhs on 05.08.2013, which is also given and they could not get retransfer of said Manoharan. Subsequently, they assured to get a job for one Sundarapandian son of Lakshmanan and the first accused received Rs.10 lakhs on 27.08.2013, but they could not secure employment also. Hence, the complaint was given.

3.The learned counsel for the petitioner submitted that the de-facto complainant approached one Sathurtheen and on his assurance to get a transfer and received Rs.13 lakhs and he gave an undertaking letter stating that he will return the entire amount of Rs.13 lakhs on 27.12.2013 and he only issued a cheque for Rs.13 lakhs and the petitioners are nothing to do with the transfer between the de-facto complainant and the said Sathurtheen. He further submitted that when the accused were not able to get transfer after obtaining Rs.13 lakhs, absolutely there is no possibility that the de-facto complainant could not pay another Rs.10 lakhs for securing employment for Sundarapandian. He further submitted that the de-facto complainant paid illegal gratification, which cannot be enforced in law.



4.Per contra, the learned Government Advocate (Crl.side) would submit that the amount of Rs.23 lakhs was paid to the first accused in the presence of A2 and A3. He further submitted that this is a case of job rocketing and the custodial interrogation of the accused is very much necessary.

5.In view of the serious allegations made against these petitioners and I am not able to agree with the contention of the learned counsel for the petitioner. This Court is not inclined to grant anticipatory bail to the petitioners. Hence, this criminal original petition is dismissed.

6.The respondent police is at liberty to take custody of the petitioners according to law.

sd/-
23/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 2 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, RAMAANTHAPURAM.

ORDER IN
CRL OP(MD) No.7775 of 2015
Date :23/04/2015

PBK/IV 28/04/2015 ::2P-3C: