



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

Tuesday, the Fifth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CrI.O.P(MD)Nos.20744, 20177, 19339, 21210,
18926, 18944, 18954, 18965 of 2015

M. YOGANANTH ... PETITIONER/ACCUSED NO.1
IN CRL.OP (MD) NO.20744/2015

... PETITIONER/ACCUSED NO.2
IN CRL.OP (MD) NOS.19339,18926,18954/2015 AND
PETITIONER/ACCUSED NO.5 IN
CRL. OP (MD) NO.18965/2015

S.DANIEL ATHISAYARAJ ... PETITIONER/ACCUSED NO.5
IN CRL.OP (MD) NO.20177/2015

VINCENT ... PETITIONER/ACCUSED NO.3
IN CRL.OP (MD) NO.21210/2015

1.YOGANANTH
2.DANIAL ATHISIYARAJ ... PETITIONERS/ACCUSED NOS.4 AND 5
IN CRL.OP (MD) NO.18944/2015

Vs

STATE THROUGH
THE SUB INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.339 OF 2015) ... RESPONDENT/ POLICE IN
CRL.OP (MD) NO.20744/2015

THE STATE
REP BY THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,USILAMPATTI,
MADURAI DISTRICT.
(CRIME NOS.339, 494,340,397,
340,398 &341 OF 2015) ... RESPONDENT/ POLICE IN
CRL.OP (MD) NOS.20177,19339,21210,18926,
18944,18954&18965/2015

For Petitioners : No Appearance in all the Petitions
For Intervenor : M/S.R.AMARNATH, Advocate in CrI.OP(MD)Nos.
18926, 18944, 18954, 18965 of 2015
<https://hcservices.ecourts.gov.in/hcservices/>
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (CrI. Side) in all the Petitions



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

ORDER: The Court Made the following order :-

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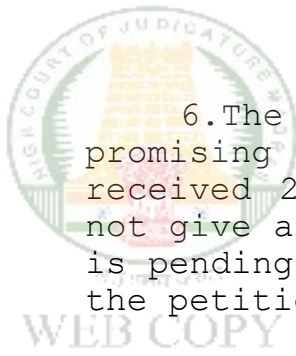
The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 506(i) of IPC, in Crime No.339 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution in all the cases is that accused persons promised to appoint the defacto complainant on permanent basis in TELC Christian Girls Higher Secondary School, Usilampatti. Believing the said representation, the defacto complainant paid various amounts to the petitioner. The accused persons did not give any appointment. When the defacto complainant demanded for appointment, the accused persons agreed to settle the amount in installments. The accused persons gave appointment to defacto complainant in Cr.No.340 of 2015 as attender temporarily and did not pay the salary. On complaint by all, cases have been registered for the above said offences.

3.When the matters were listed before this Court on various dates, both the counsel for the petitioners and intervenor submitted that the matters were already referred to Mediation and Conciliation Centre and Subsequently, Mediation could not succeed. The learned counsel for the petitioners submitted that the petitioners will settle the amounts in installment and on their request, the Criminal Original Petitions were posted to 04.07.2016.

4. On 04.07.2016 when the matters were taken up, there was no representation on behalf of the petitioners and it was posted for dismissal on 05.07.2016. Today, also there is no representation on behalf of the petitioners.

5.Mr.R.Amarnath, learned counsel appearing for the defacto complainant reiterated the averments made in the complaint and further submitted that the petitioners and other accused persons cheated the defacto complainants and other persons to the tune of Rs.2 crores and entered into compromise and agreed to pay the amounts in three installments starting from 25.06.2016. Till today, they have not settled the amount. Only a sum of Rs.25,000/- was paid.



6.The learned Government Advocate(Crl.side) submitted that on promising to get appointment in permanent basis, the accused persons received 2 crores from the defacto complainant and others and did not give any appointment and did not repay the amount. Investigation is pending. It has to be ascertained that from how many more persons the petitioner received money and cheated them.

7.Considering the serious allegations that the petitioners and others received huge amount from un-employed youth on promising to give permanent job in TELC Christian Girls Higher Secondary School, Usilampatti run by the Church and cheated them and investigation is pending, the custodial interrogation of the petitioners is necessary. This Court is not inclined to grant anticipatory bail to the petitioners. Hence, these petitions are dismissed.

sd/-
05/07/2016

/ TRUE COPY /

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

TO

- 1.THE CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 3.THE SUB INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.
- 4.THE INSPECTOR OF POLICE
USILAMPATTI TOWN POLICE STATION,USILAMPATTI,
MADURAI DISTRICT.

RL/5C/3P/SKS/RR/SARI/18/7/2016

ORDER
IN
**Cr1.O.P (MD) Nos.20744, 20177,
19339, 21210, 18926, 18944,
18954, 18965 of 2015**
Date :05/07/2016