



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

Monday, the Fourth day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.21433 of 2015

1 G.SURESHKUMAR

2 P.MARTIN FERNANDO

... PETITIONERS/ACCUSED

Vs

THE INSPECTOR OF POLICE,
USILAMPATTI POLICE STATION,
MADURAI DISTRICT.
CR. NO. 492/2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S M.GURURAJ ADVOCATE

FOR RESPONDENT : GOVERNMENT ADVOCATE (CRL. 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, in Crime No.492 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 506(i) IPC and hence, seek anticipatory bail.

2. The case of the prosecution is that the family members and relatives of the defacto complainant promised him that they could arrange placements for job seekers in foreign countries and believing their words, he received money from the petitioners and other persons and the family members and relatives could not arrange any work as promised by them and hence, the defacto complainant could not provide any job to the petitioners. Under such circumstances, the petitioners threatened the defacto complainant with dire consequences.

3. The case of the petitioners is that the defacto complainant promised to arrange a job in Australia and they paid Rs.3,10,000/- to the defacto complainant and his wife during June 2015 and he failed to arrange job. When the petitioners demanded money from the defacto complainant, he refused to return money and gave a false complaint against the petitioners and the petitioners are innocents and they have not committed any offence. It is further case of the petitioners that the petitioners gave a complaint against the defacto complainant and a counter case has been



registered in Crime No.518 of 2015 for the alleged offences under Sections 406, 420, 147, 2949b), 323, 506(ii) IPC.

4. The learned Government Advocate(Crl.side) would submit that investigation is pending.

5.Considering the fact that admittedly the defacto complainant received money from the petitioners and he neither provided job in foreign country nor returned money, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Usilampatti, and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

04/01/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO I,
USILAMPATTI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
USILAMPATTI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.GURURAJ Advocate SR.No. 67

ORDER

IN

CRL OP(MD) No.21433 of 2015

Date :04/01/2016

CM

<https://hcservices.courts.gov.in/hcservices/>

TE/NGH-SS/SAR-11 : 05/01/2016 : 2P/6C