



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

Tuesday, the Twelfth day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.569 of 2016

CHINNIAH

..PETITIONER/ACCUSED NO.4

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.115/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.RAMASAMY Advocate
For Respondent : MR.K.ANBARASAN,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused was arrested and remanded to judicial custody on 23.09.2015 for the alleged offences punishable under Sections 406,420 of IPC in Crime No.115 of 2015, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner and other accused persons received a sum of Rs.16,40,000/- from the defacto complainant and others, on promising to get a job in the foreign country and they did not get any job and failed to return the amount received by them. On complaint a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has not received any amount from the defacto complainant and on earlier occasion the learned Principal Sessions Judge, Virudhunagar District at Srivilliputur has granted interim bail for a period of three weeks, on condition that he should appear before the respondent police everyday at 5.00 pm and the petitioner is directed to surrender before the learned Judicial Magistrate No.I, Srivilliputur after completion of three weeks from the date of release. Further, the petitioner complied the condition from 04.11.2015, afterwards the petitioner was not permitted to sign before the respondent police and the court, the petitioner sent a representation to the Superintendent of Police, Virudhunagar District and also he filed a Crl.O.P(MD). No.22595 of 2015 before this Court to set aside the condition imposed



by the learned Principal Sessions Judge, Virudhunagar District at Srivilliputur. This Court by order dated 10.12.2015 disposed of the petition directing the learned Principal Sessions Judge, Virudhunagar District at Srivilliputur to consider the surrender before the learned Principal Sessions Judge, Virudhunagar District at Srivilliputur on application filing by the petitioner on merits and subsequently, the petitioner filed a bail petition in Cr.M.P.No.72 of 2016 and the same was dismissed on 05.01.2016.

4. The learned Government Advocate (Crl.side) submitted that the petitioner and other accused received a sum of Rs.16,40,000/- on giving a false promise to get a job in the foreign country and subsequently, they did not get job and not return the amount and also threatened the defacto complainant with dire consequences and the investigation of the case is pending. He further submitted that co-accused are absconding.

5. Considering the nature of serious allegations made against the petitioner and the matter relates to job racketing and that the other accused or absconding and that the investigation is pending this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

12/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE OFFICER-IN-CHARGE,
SUB-JAIL, SRIVILLIPUTHUR.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE INSPECTOR OF POLICE
KOOMAPATTI POLICE STATION, VIRUDHUNAGAR
DISTRICT.

+1. CC to M/S S.RAMASAMY Advocate SR.No.2365

akm/20.01.2016/ 2p- 5c/MP/PM/SAR-II

ORDER

IN

CRL OP(MD) No.569 of 2016

Date :12/01/2016