



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.8591 of 2016

1 JOSEPH
2 MARY
3 MERLIN

... PETITIONERS/ACCUSED 3 TO 5

BASKARAN

... PETITIONER/INTERVENER

Vs

THE STATE REP.
THE INSPECTOR OF POLICE
MUSIRI POLICE STATION,
MUSIRI,
TRICHY DISTRICT.
CRIME NO.199/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.MAHESWARAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

For Intervenor : MR.S.MUTHUKRISHNAN, Advocate

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

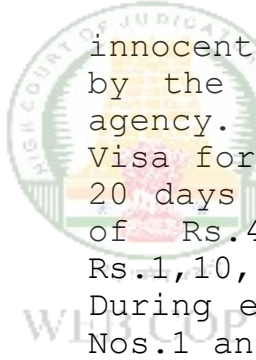
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.3 to 5 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(i) of IPC, in Crime No.199 of 2016, on the file of the respondent police and hence seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with the other accused persons, on the promise of sending the de facto complainant to Singapore for job with a monthly salary of Rs.30,000/-, received a sum of Rs.4,00,000/- and instead of sending him to Singapore for a job, sent him to Maldives for a salary of Rs.18,000/-. When the de facto complainant, asked for return of money after coming back to India, they did not return the money. On complaint case has been registered for the above said offences.

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

3.The case of the petitioners is that the petitioners are



innocent persons and they have not committed any offence as alleged by the prosecution. The accused 1 and 2 are running a travel agency. The petitioners are accused Nos.3 to 5. They arranged for Visa for the de facto complainant and he went to Maldives and after 20 days he came back to India and demanded repayment of the amount of Rs.4,00,000/-. But the de facto complainant paid only Rs.1,10,000/-. The petitioners did not receive Rs.4,00,000/-. During enquiry, as compelled by the respondent police, the accused Nos.1 and 2 agreed to give Rs.2,00,000/- to the de facto complainant in instalments.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that this is a case of job-racketing and investigation is pending.

5.The learned counsel for the intervenor submitted that on the promise of sending the de facto complainant to Singapore for job with a monthly salary of Rs.30,000/-, the accused collected a sum of Rs.4,00,000/- and instead of sending him to Singapore, they arranged a job in Maldives and the accused threatened and pressurised him to go to Maldives and he also went to Maldives under threat and coercion and after 20 days he came back to India and asked the accused to return the money, but they failed to do so.

6.The main allegation levelled against the petitioners is that they promised to arrange a job at Singapore and instead of sending the de facto complainant to Singapore, they sent him to Maldives and arranged a job. Considering the fact that the de facto complainant went to Maldives for job as arranged by the petitioners and custodial interrogation is not required, 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, Musiri, and on each of them 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 1 and 2 shall report before the respondent police daily at 10.00 a.m. until further orders and the second petitioner shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.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/-
15/06/2016

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE, MUSIRI.

2 do through THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE, MUSIRI POLICE STATION, MUSIRI,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.MAHESWARAN Advocate SR.No.31119

smn

CSL/NGM-MP/SAR-III/20.06.2016 : 2p/6c

ORDER

IN

CRL OP(MD) No.8591 of 2016

Date :15/06/2016