

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

Wednesday, the Twenty Fourth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13804 of 2016

1 SWAMINATHAN

2 MARIYA ARULWIN @ KOHILA

3 MARY SUBITHA @ SUBAITHA

... PETITIONERS/ ACCUSED 2,3 & 4

Vs

STATE OF TAMILNADU REPRESENTED BY ITS

THE INSPECTOR OF POLICE

ASARIPALLAM POLICE STATION,

KANYAKUMARI DISTRICT.

CRIME NO.205 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.ARAVINTHAN Advocate

For Respondent : MR.P.KANNITHEVAN Govt. 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 Nos.2,3 and 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i), 465 and 420 IPC, in Crime No.205 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on promising to arrange for a job in abroad for the son of de facto complainant, the accused persons received a sum of 1,00,000/- on 13.03.2015 and Rs.1,00,000/- on 23.03.2015 by way of deposit by the de facto complainant in the account of A.1. The accused persons asked the son of de facto complainant to come to Chennai Airport. Subsequently, they did not arrange for any job. When the de facto complainant went to the petitioners house and demanded for money, A.2, A.3 and A.4 abused him in filthy language and threatened him with dire consequences. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and she has not committed any offence as alleged by the prosecution. The entire allegation is made only against A.1, who is the son of the petitioners 1 and 3 and the petitioner have not received any amount from the de facto complainant.

4.The learned Government Advocate (Criminal side) submitted that this is a case of job-racketing and the petitioners and A.1 on promising to arrange for a job in abroad for the son of the de facto complainant, received a sum of Rs.3,00,000/- and subsequently they did not arrange any job and cheated the de facto complainant. Investigation is pending.

5.Considering the facts and circumstances of the case and also considering the serious nature of allegation levelled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly this petition is dismissed.

sd/-

24/08/2016

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

SMN
TO

- 1 THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION, KANYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

GJM/DB/SAR-III-8.9.16-2P-3C

ORDER
IN

CRL OP(MD) No.13804 of 2016
Date :24/08/2016

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