



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

Thursday, the Sixteenth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1753 of 2017

PRATHAP KUMAR

... PETITIONER/ACCUSED NO.I

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KUNDANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.14 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.SELVA Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

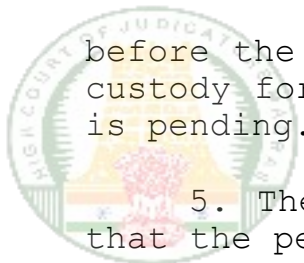
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-1, in Crime No.14 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417 and 420 of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that this is a case of job racketing. The defacto complainant in this case has collected amount from several persons on the basis of the promise given by the petitioner herein to get employment at Koodankulam Atomic Energy Unit and for the post of teaching staff and a sum of rs.43,60,000/- was collected from several persons for getting job and the same was handed over to the petitioner herein. But the petitioner has not made arrangements for getting job and did not return back the entire amount.

4.The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that totally there are four accused in this case. A-3 and A-4 are the sons of A-1. A-1 and A-2 were arrested and are in judicial custody. One car each from A-1 and A-2 were recovered on the basis of the confession given



before the respondent police. The petitioner was taken for police custody for two days. He further submitted that the investigation is pending.

5. The learned counsel appearing for the petitioner submitted that the petitioner did not involve in the offence as alleged by the prosecution and he is nothing to do with the alleged occurrence and he has been falsely implicated in this case. He further submitted that A-3 in this case, who is the son of the petitioner herein also filed anticipatory bail petition before this Court in Crl.O.P(MD) No.1737 of 2017 and the same is pending.

6. Considering the facts and circumstances of the case and also considering the fact that anticipatory bail petition is pending before this Court in respect of A-3, who is still absconding and the investigation is not completed in this case and also considering the quantum of amount involved in this case, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Hence, this Criminal Original Petition is dismissed.

sd/-
16/02/2017

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
KUNDANKULAM POLICE STATION, TIRUNELVELI DISTRICT.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, TIRUNELVELI.

PM
CSL/CM-MSA/SAR-II/21.02.2017 : 2P/4C

ORDER
IN
CRL OP(MD) No.1753 of 2017
Date :16/02/2017