



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

Tuesday, the Twenty Fourth day of January Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.23915, 23918 and 23919 of 2016

R.PRABHA

... PETITIONER / ACCUSED No.2
in all the petitions

Vs

THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY CITY,

... RESPONDENT / COMPLAINANT

(CRIME NO.27/2016)

in Crl.OP.(MD).No.23915 of 2016

(CRIME NO.29/2016)

in Crl.OP.(MD).No.23918 of 2016

(CRIME NO.28/2016)

in Crl.OP.(MD).No.23919 of 2016

For Petitioner : MR.Veera.Kathiravan, Senior Counsel for
M/S.VEERA ASSOCIATES Advocate
in all the petitions

For Respondent : MR.P.Kandasamy Govt. Advocate (Crl. Side)
in all the petitions

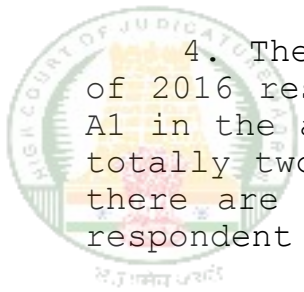
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in all the above Criminal Original Petitions are one and the same. The petitioner in Crl.O.P(MD)No.23915 of 2016, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471, 406 and 420 of IPC., in Crime No.27 of 2016, seeks anticipatory bail.

2.The petitioner in Crl.O.P(MD)No.23918 of 2016, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471 and 420 of IPC., in Crime No.29 of 2016, seeks anticipatory bail.

3.The petitioner in Crl.O.P(MD)No.23919 of 2016, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471, 406, 420, 294(b) and 506(i) of IPC., in Crime No.28 of 2016, seeks anticipatory bail.



4. The petitioner is arrayed as A2 in Crime Nos.27, 29 and 28 of 2016 respectively in the present anticipatory bail applications. A1 in the above cases is the husband of this petitioner. There are totally two accused in Crime Nos.27 and 29 of 2016 respectively and there are five accused in Crime No.28 of 2016 on the file of the respondent Police.

5. The case of the prosecution is that A1 along with this petitioner received Rs.7,00,000/- towards the post of Administrative Officer in Bharathiar Uni School for Development of Education from the defacto complainant in Crime No.27 of 2016; a sum of Rs.13,00,000/- towards the post of Administrative Officer, Incharge of Distant Educational Centre of Alagappa University from the defacto complainant in Crime No.29 of 2016; a sum of Rs.5,50,000/- towards the post of Office Assistant in Bharathiar Uni School for Development of Education through A3 to A5 and a sum of Rs.2,50,000/- was received by the petitioner herein towards the Post of Field Officer from the defacto complainant and also a sum of Rs.5,00,000/- was received from one Manivannan, a close relative of the defacto complainant by A1, in the presence of defacto complainant in Crime No.28 of 2016 towards the post of Field Officer in Bharathiar Uni School for Development of Education, by issuing fake appointment orders and with Emblem of University and cheated the complainants.

6. The learned counsel appearing for the petitioner contends that one Lavanya filed a complaint before the respondent police and the Police have registered the case in Crime No.9 of 2016 on similar set of allegations against A1 and A2 and in that case, A1 was arrested and released on bail and this petitioner/A2 was also granted anticipatory bail, as per the order of this Court in CrI.O.P.(MD)No.15777 of 2016, dated 24.11.2016 and it is abuse of process of law in registering the criminal case on similar set of facts by different FIRs and the complainant can be a witness and he cannot put the law onceagain into motion.

7. The learned Government Advocate (crl.side) appearing for the respondent states that Crime No.28 of 2016 has been registered, as per the order of this Court in CrI.O.P(MD)no.20931 of 2016 and Crime No.29 of 2016 was registered, as per the order in Cr.M.P.No.9835 of 2016, dated 09.11.2016 of Judicial Magistrate No.II, Trichy. The FIR registered in these cases reveal the involvement of this petitioner in receipt of the amount along with her husband and his wife arrayed as A1 in these cases and both are the Directors of the institution. It is further contended that the petitioner along with her husband and other accused received the amount from the defacto complainants for getting jobs in Bharathiar Uni School for Development of Education and they neither secured the job nor returned the amount. The FIR reveals further that the first accused is running a Trust namely 'Shri Sai Educational Trust' and sum of Rs.4,00,000/- was received by the said Trust through the Bank Account from the father of the defacto complainant in Crime No.27 of 2016. The learned Government Advocate (crl.side) for the respondent states that investigation in this cases is still pending.



The nature of offences charged against the petitioner herein relates to job rocketing and the custodial interrogation of the accused in this case is required in respect of cheating by fake and forged appointment orders.

8. At this juncture, the learned counsel appearing for the petitioner states that the above amount was paid as donation for the Trust, which is also running educational institutions.

9. Considering the above facts and circumstances of the case and also the nature of the averments made against the petitioner regarding her involvement in this case along with her husband, this Court is not inclined to grant anticipatory bail in favour of the petitioner in these cases.

10. In the result, all the anticipatory bail applications filed by A2 in these cases stand dismissed.

sd/-
24/01/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, TRICHY
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TRICHY
- 3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.VEERA ASSOCIATES Advocate SR.No.3996

sm:MR-VB:SAR 3:30/01/2017:3P/6C

ORDER
IN
CRL OP(MD) Nos.23915,23918 & 23919 of 2016
Date :24/01/2017