



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

Wednesday, the Seventh day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1284 of 2018

UMAMAHESWARI

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
IN CR.NO. 481/2017,
TRICHY DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

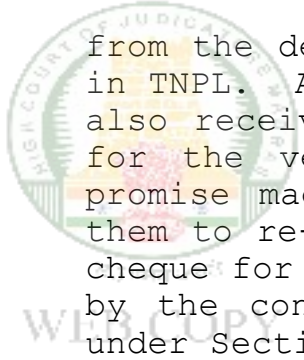
The petitioner / A1, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 406 & 420 IPC in Crime No.481 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused, by giving false promise to get a job in TNPL, received a sum of Rs.4 lakhs from the de facto complainant and thereby cheated him.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and she is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that investigation is still pending.

5. The submissions made by the learned counsels appearing on either side are considered. It is alleged that during the time of occurrence, the petitioner herein received a sum of Rs.1,00,000/-



from the de facto complainant, after made promise for providing job in TNPL. Along with this petitioner, another person namely, Nethaji also received a sum of Rs.3,00,000/- from the de facto complainant for the very same purpose. Due to the non-fulfillment of the promise made by the petitioner, the de facto complainant demanded them to re-pay the amount. For which, the petitioner herein issued cheque for a sum of Rs.4,00,000/-. However, the same was dishonored by the concerned bank. Due to which, the case has been foisted under Section 138 Negotiable Instruments Act.

6.Now, according to the prosecution, nearly 100 persons were cheated by this petitioner and by the said Nethaji. Further, the petitioner and the said Nethaji cheated to the tune of Rs.3 crores by way of job racketing. Hence, Considering the nature of offence committed by the petitioner, custodial interrogation is necessary for completing the investigation.

7.Taking the above said aspects into consideration and having regard to the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/02/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, TRICHY DISTRICT
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SUBASH BABU Advocate SR.No.2105

ORDER
IN
CRL OP(MD) No.1284 of 2018
Date :07/02/2018

MKV-CM-SAR 1/22.2.2018/2P-4C