



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

Monday, the Second day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4471 of 2018

1 P.OLIVER

2 PARTHASARTHY

... PETITIONERS / ACCUSED Nos.1 and 2

Vs

1 STATE OF TAMIL NADU,

REPRESENTED BY,

THE INSPECTOR OF POLICE,

RAJAKKAMANGALAM POLICE STATION,

KANYAKUMARI DISTRICT

CRIME NO.315 OF 2017

... 1st RESPONDENT / COMPLAINANT

2 C.R.SREESUBHA,

... 2nd RESPONDENT / DEFACTO-COMPLAINANT

For Petitioners : Mr.S. TITUS Advocate

For Respondent 1: Mr.A.P.G.OHM CHAIRMA PRABHU

Govt. Advocate (Crl. Side)

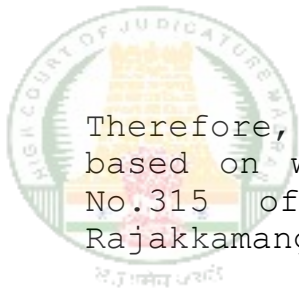
For Respondent 2 :Mr.D.CHRISENSEN JUGUNU, Advocate

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.1 and 2 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b), 506(i) IPC in Crime No.315 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant was searching for a job. At that time, the petitioners, who are Executive Officer and Senior Advisor of Prompt Multi State Co-operative House Building Society informed the defacto complainant that there is a vacancy for the post of Manager at Attoor Branch and that for that job, the defacto complainant has to pay Rs.5,00,000/- as security deposit and Rs.25,000/- as fixed deposit in Co-operative House Building Society Limited. The petitioners after collecting the funds, cheated the poor public and also committed mal practice.



Therefore, the defacto complainant has lodged the present complaint, based on which, the respondent police registered a case in Crime No.315 of 2017, on the file of the Inspector of Police, Rajakkamangalam Police Station, Kanyakumari District.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any of the offences as alleged by the prosecution.

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

5.The petitioners had earlier moved this Court by filing Crl.OP (MD).No.17992 of 2017. This Court dismissed the said application on 30.01.2018 on the ground that the cheated amount has to be recovered. There is no change of circumstance. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners at this stage. Hence, this present Criminal Original Petition also dismissed.

sd/-
02/04/2018

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

TO

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

+1. CC to M/S.S. TITUS Advocate SR.No.5182
+1 CC TO Mr. D.CHRISENSEN JUGUNU , Advocate, Sr.No. 5193

tsg
JAM/05/04/2018/ PN / SAR 4 / 2p-5c

ORDER
IN
CRL OP (MD) No.4471 of 2018
Date :02/04/2018