



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

Wednesday, the Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17291 of 2017

RAJA @ VAIRAM

... PETITIONER/ ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI, THENI DISTRICT.
CRIME NO.20/2017

... RESPONDENT / COMPLAINAN

For Petitioner : M/S.G.RAJAN Advocate

For Respondent : M/S.K.S.DURAI PANDIAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

Heard both sides.

2.The petitioner is arrayed as accused in Crime No.20 of 2017 of District Crime Branch, Theni District. He apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406 and 420 IPC, he has filed this petition seeking relief to grant anticipatory bail.

3. The case of the prosecution is that on 01.01.2016, the complainant one Kasi Rajan to whom the petitioner is very well known, made a payment of a sum of Rs.1,00,000/- (Rupees One Lakh only) to the petitioner for getting a job for his son. Subsequently, the petitioner and his wife namely, one Revathi prolonged the same and failed to make arrangements for getting job to the son of the petitioner till the month of October 2017. Hence, a complaint has been preferred before the respondent and subsequently, on the direction by this Court through Crl.O.P.No.14375 of 2017, dated 05.10.2017, the case has been registered against the petitioner and his wife.

4. The learned counsel appearing for the petitioner submitted he has been falsely implicated in this case, he has not committed any offence as alleged, he is in no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.



5. The learned Additional Public Prosecutor submitted that the petitioner has received a sum of Rs.2,30,000/- under the guise of employment from the de-facto complainant

6. Considering the submissions on either side, it reveals that the offence u/s. 406 and 420 IPC has been registered against the petitioner in Crime No.20 of 2017 by the respondent police. It is alleged that the petitioner herein has received a sum of Rs.2,30,000/- after making a false promise, thereafter, he is not making any arrangement for securing the job. Even he has not returned the money to the defacto complainant so far.

7. In the above said circumstances, this Court come to the conclusion that in order to complete the investigation, custodial interrogation is necessary for recovery of the misappropriated amount. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
03/01/2018

/ 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, THENI, THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17291 of 2017
Date :03/01/2018

MS/PM-PN/SAR.1/08.01.2018/2P.3C