



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

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3078 of 2019

K. GUNASEKARAN

... PETITIONER / SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION,
TIRUCHY DISTRICT.
(CRIME.NO.78 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SIVA ILAYARAJA Advocate

For Respondent : Mr.S.CHANDRA SEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody since 09.02.2019 for the offences punishable under Sections 294(b), 406, 420, 467, 468 and 471 of IPC, in Crime No.78 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is Ex-Councilor. On false promise as he secured job to the defacto complainant's son, the petitioner collected a huge amount of Rs.9,00,000/- from the defacto complainant on various dates. Thereafter, he never secured any job to the defacto complainant's son nor repaid the amount. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that already a suit was initiated by the petitioner in O.S.No.1475 of 2013 before the District Munsif Court, Trichy and pending suit summons was also issued to the defacto complainant. In order to defeat the suit, the defacto complainant filed the present complaint.

4.The learned Additional Public Prosecutor would submit that it is a case of job-rocketing. The petitioner is an Ex-Ward councilor and introduced himself to the defacto complainant and on false



promise to secure a job to his son in the BHEL company, received the huge amount on various dates. Thereafter, the petitioner filed a suit for permanent injunction alleging that defacto complainant claimed exorbitant interest from the petitioner and the same was dismissed for default for non prosecution. The investigation is in preliminary stage.

6.Considering the nature of offence committed by the petitioner, this Court is of the opinion that this type of atrocities cannot be entertained. Hence, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this criminal original petition stands dismissed.

sd/-
28/02/2019

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION, TIRUCHY DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
- 3 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to Mr.S.SIVA ILAYARAJA Advocate SR.No.3942

PS/PN/SAR-1/11.03.2019/2P/5C

ORDER
IN
CRL OP(MD) No.3078 of 2019
Date :28/02/2019