



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

Wednesday, the Twenty Seventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4529 of 2019

B.PURUSHOTHAMAN

... ACCUSED/PETITIONER

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
PUDUKKOTTAI.
(IN CRIME NO.5/2019)

... COMPLAINANT/RESPONDENT

For Petitioner : MR. K. RAVIANANTHAPADMANABAN 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 who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 468, 471, 120 (B) of IPC in Cr.No.5 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the accused person induced the defacto complainant to secure the pharmacist job in the Government Hospital and demanded a sum of Rs.2,00,000/- from the defacto complainant. The defacto complainant has paid that amount to A1 to A3. Thereafter, the defacto complainant got an appointment order from A2. In such circumstances, the defacto complainant went to the Government Medical College & Hospital, Pudukkottai and approached the teen of the hospital for his joining, he found that the appointed order was bogus one Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is running 'M/s.Solution for Cleaning' at Madurai, which is supplying skilled and unskilled staff for the government hospitals by outsourcing. Thereby, the petitioner was implicated in the above said offence. He would further submit that he is ready to pay a sum of Rs.2,00,000/-



without prejudice to his rights. Hence, he prayed for granting anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that if the petitioner is ready to pay a sum of Rs.2,00,000/-, this Court may consider the anticipatory bail application of the petitioner.

5. Considering the facts and circumstances of the case, since the petitioner is come forward to pay a sum of Rs.2,00,000/-, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.II, Pudukkottai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner shall deposit a sum of Rs.2,00,000/- to the Credit of Crime Number Cr.No.5 of 2019 before the learned Judicial Magistrate, No.II, Pudukkottai before the execution of sureties, without prejudice to their defence.

(b) the petitioner and the sureties shall affix her photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

27/03/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. II,
PUDUKKOTTAI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
PUDUKKOTTAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR. K. RAVIANANTHAPADMANABAN Advocate SR.No.5629

ORDER

IN

CRL OP (MD) No.4529 of 2019

Date :27/03/2019

AE/VR/SAR-I/01.04.2019/3P/6C