



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

Monday, the Eighth day of April Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP (MD) No.4879 of 2019

S. NIMAL

... PETITIONER / ACCUSED No. 2

Vs

STATE REP. BY,  
THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH,  
TRICHY DISTRICT.  
(IN CRME NO.16 OF 2019)

... RESPONDENT / COMPLAINANT

A.RAMESH

... PETITIONER/INTERVENER/  
DEFACTO COMPLAINANT  
IN CRL MP (MD) No. 3353 of 2019  
IN CRL OP (MD) No. 4879 of 2019

For Petitioner : MR.N.ANANDAKUMAR Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

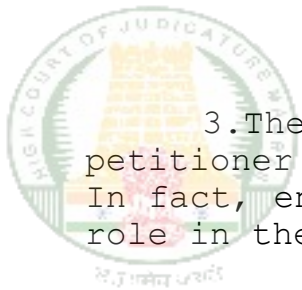
For Intervener : MR.D.S.HARRON RASHEED, Advocate  
IN CRL MP (MD) No. 3353 of 2019  
IN CRL OP (MD) No. 4879 of 2019

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

ORDER : The Court Made the following order :-

The petitioner who is apprehending arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 of IPC in Crime No.16 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused person collected money from the defacto complainant for securing a job in Canada. The defacto-complainant has paid a sum of Rs.10,00,000/- to the petitioner and the first accused. However, the petitioner and the first accused neither secured job and nor repaid the amount. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. In fact, entire amount was collected by A1 and the petitioner has no role in the above said deal.

4.The learned Counsel appearing for the intervener would submit that the petitioner and other accused person, taking advantage of the innocence of the defacto-complainant, collected huge money from his for securing a job in canada. The petitioner and the other accused have not repaid the money to the defacto-complainant. Hence, the defacto complainant filed a complaint before the respondent police.

5.The learned Additional Public Prosecutor would submit that total amount cheated Rs.10,00,000/- for securing job collected from the defacto complainant. However, neither his amount nor securing the job for which the defacto complainant filed a complaint before the respondent police.

6.Considering the facts and circumstances of the case and considering the fact that till date no amount was not recovered, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Hence the Criminal Original Petition is dismissed.

sd/-

08/04/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,  
CITY CRIME BRANCH,  
TRICHY DISTRICT.

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

ORDER

IN

CRL OP (MD) No.4879 of 2019

Date :08/04/2019

MSI/MMS/SAR 4/12.04.2019/2P-3C

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