



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.977 of 2019

C.KALIYAPPAN

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
TRICHI CITY,
TIRUCHIRAPPALLI.

... RESPONDENT / COMPLAINANT

For Petitioner :Mr.A.R.L.SUNDARESAN, Senior Counsel for
M/S.AL.GANTHIMATHI Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

For Intervenor :Mr.B.JAMEEL ARASU, Advocate

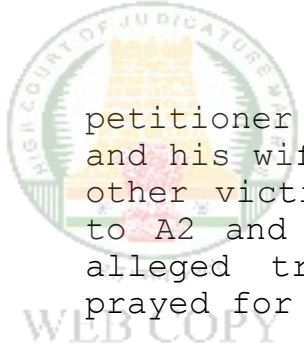
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 468, 470, 474, 419, 120B and 34 I.P.C., in Crime No.1 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the first accused and he introduced one Sivakumar and Mohan, who are arrayed as A2 and A3 and informed the de-facto complainant's wife that they are working as Assistant Section Officers in Tamil Nadu Public Service Commission and the petitioner assured that they will provide sufficient marks in order to get a job in TNPSC Group II Examination. Thereafter, A2 and A3 collected huge amounts from several victims for the purpose of providing marks in TNPSC Group II Examination. In order to prove their action, A2 and A3 prepared fake appointment orders and thereafter, they had not paid the amount to the victims. Hence, the present complaint.

3.The learned Senior Counsel appearing for the petitioner submitted that based on the direction given by the learned Judicial Magistrate NO.11, Trichy, the Law Enforcing Agency has registered the case. The learned Senior Counsel further submitted that the



petitioner has only introduced A2 and A3 to the de-facto complainant and his wife and thereafter, the de-facto complainant introduced the other victims to them and the victims paid entire amounts directly to A2 and A3 and therefore, the petitioner is not liable for the alleged transactions and therefore, the learned Senior Counsel prayed for anticipatory bail to the petitioner.

4.The learned counsel for the Intervenor submitted that already A3 filed Crl.O.P.(MD)No.727 of 2019 seeking anticipatory bail before this Court and this Court has elaborately considered the issue and dismissed the said petition, vide order dated 25.01.2019 and therefore, he prayed for dismissal of the Criminal Original Petition.

5.The learned Additional Public Prosecutor submitted that it is a case of job racketing and the petitioner/A1 joined together with other accused, cheated several victims and collected Rs.1.25 Crores. If anticipatory bail is granted, the petitioner will tamper the witness and hamper the investigation.

6.Considering the nature of allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to him. Accordingly, the Criminal Original Petition is dismissed.

sd/-
07/02/2019

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO II, TRICHY.
- 2.THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3.THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TRICHI CITY, TIRUCHIRAPPALLI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

- +1. CC to M/S.AL.GANTHIMATHI Advocate SR.No.2615
+1. CC to Mr.B.JAMEEL ARASU Advocate SR.No.2612

ORDER
IN
CRL OP(MD) No.977 of 2019
Date :07/02/2019