

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.28994 of 2019

1 MOHAMED SHERIEF

[PETITIONERS / ACCUSED]

2 PRABAHAR

Vs

STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE,
DCB, CUDDALORE,
CUDDALORE DISTRICT.
CR.NO.26 OF 2019.

[RESPONDENT]

For Petitioner : M/S.T.SHANMUGAM Advocate

For Respondent : MR. C.IYYAPPARAJ, Additional Public Prosecutor

For Intervener : M/S.L.SATHISHNATHAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Section 406 and 420 of IPC in Crime No.26 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The allegation against the petitioners is that they promised to arrange job to the defacto complainant and received a sum of Rs.2.65 lakhs, but they have cheated him. Hence the complaint filed by the defacto complainant before the respondent police.

3.The learned counsel appearing for the petitioners would submit that the petitioners indeed has secured a job for the defacto complainant in Qatar, The defacto complainant went to Qatar but did not like the job and returned and started demanding money. He also submitted that the defcto complainant was not sent on tourist visa but on working visa to Qatar.

4. It is seen that this Court vide order dated 11.12.2019, granted interim anticipatory bail for a period of six weeks and

referred this matter to the Mediation and Conciliation centre. Accordingly, the mediation process was held on 18.12.2019 and a report was filed by the Mediation and Conciliation Centre on 06.02.2020, stating that the petitioners were agreed to pay a sum of Rs. 80,000/-.

5. When the matter was taken up today, the learned counsel appearing for the petitioner submitted that the petitioners paid a sum of Rs.20,000/- and request further time to deposit the remaining amount within a period of four weeks from the date of receipt of copy of this order.

5. Hence, in view of the above the interim anticipatory bail has already granted by this Court on 11.12.2019, is made absolute. The petitioner is directed to deposit the remaining amount within a period of four weeks from the date of receipt of copy of this order. Thereafter the said amount disbursed to the defacto complainant within a period of two weeks. However, if the petitioners fail to pay the amount within the stipulated period, the bail granted automatically shall be vacated without any further reference.

-sd/-

28/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
DCB, CUDDALORE,
CUDDALORE DISTRICT.

3 THE ASSISTANT REGISTRAR,
TAMIL NADU MEDIATION AND COUNSELATION CENTRE,
HIGH COURT, CHENNAI.

+1 CC to M/S.T.SHANMUGAM Advocate on payment of necessary
charges SR.NO.4101

+1 CC to M/S.L.SATHISHNATHAN, Advocate on payment of necessary
charges SR.NO.4207

CRL OP.28994/2019

Date :28/02/2020