



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/10/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.9354 of 2020

Jamees Hussain

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
Cr.No.3 of 2020.

... Respondent/Complainant

For Petitioner : Mr.P.Santhana Krishnan, Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Cr.No.3 of 2020 on the file of the respondent police.

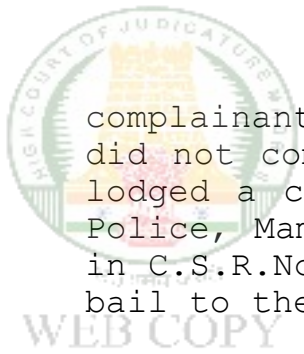
ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under sections 406 and 420 of IPC, in Crime No.3 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner said to have promised the defacto complainant to get teacher job and received a sum of Rs.8,50,000/- from the defacto complainant. However, the petitioner neither secured job and nor repaid the amount. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

4.The learned counsel appearing for the petitioner submitted that the petitioner acted only as a mediator of one Prabakaran. The said Prabakaran has received the said amount from the defacto



complainant. He further submitted that since the said Prabakaran did not come forward to arrange the job as assured, the petitioner lodged a complaint against the Prabakaran, before the Inspector of Police, Mambalam Police Station, Chennai, and the same was pending in C.S.R.No.534 of 2019. Hence, he prayed for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the defacto complaint has paid a sum of Rs.8,50,000/- to the petitioner for the purpose of getting job. Subsequently, the petitioners did not secure job and failed to repay the said amount. He further submitted that the petitioner was trying to escape from the clutches of law by lodging another complaint as against one Prabakaran, which was subsequently closed.

6.Considering the facts and circumstances of the case and also considering the fact that it is a cheated case and there is a specific overt act attributed against the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this criminal original petition is dismissed.

sd/-

06/10/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.9354 of 2020
Date :06/10/2020

VSG

<https://hcservices.ecourts.gov.in/hcservices/> 12.10.2020/ 2P/3C