



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

Date : 07/10/2020

PRESENT

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

CRL OP(MD). No.9964 of 2020

1.Baskaran
2.Suguna

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
City Crime Branch,
Madurai.
Crime No.1924 of 2019.

... Respondent/Complainant

For Petitioners : M/s.S.Ravi,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.1924 of 2019. on the file of
the Respondent Police

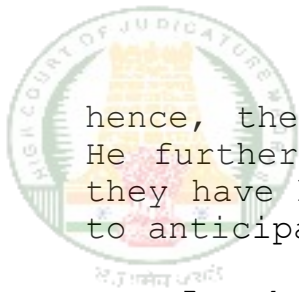
ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 406 &
420 of I.P.C., in Crime No.1924 of 2019 on the file of the
respondent police, seek anticipatory bail.

2. It is the case of job racketing. The petitioners herein had
received a sum of Rs.5,00,000/- from the defacto complainant and
four others with an assurance that they would get job for them. But
no job was secured by the petitioners. Hence, the complainant.

3. Heard the learned counsel appearing for the petitioners and
the learned Government Advocate (Crl. Side) appearing for the
respondent Police.

4. The learned counsel appearing for the petitioners submitted
that the petitioners 1 & 2 are husband and wife. The petitioners
also paid a sum of Rs.5,00,000/- to secure job for their son and



hence, they also one of the victim at the hands of one Jeyakumar. He further submitted that the petitioners are innocent persons and they have been falsely implicated in this case and hence, he prayed to anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) submitted that there are totally 3 accused. The petitioners are arrayed as A1 and A2. It is the case of job racketing. A3 was already arrested and released on bail. While granting bail, A3 was directed to deposit sum of Rs.5,00,000/-. He also complied with the condition and A3 lodged a complaint as against one Sekar and the same was registered in Crime No.10 of 2018 on the file of the City Crime Branch and it is pending for investigation.

6. It is seen that there are totally 3 accused. The petitioners are arrayed as A1 and A2. A3 was already arrested and released on bail. While granting bail, A3 was directed to deposit sum of Rs.5,00,000/-. He also complied with the condition. It is also seen that A3 lodged a complaint as against one Sekar and the same was registered in Crime No.10 of 2018 on the file of the City Crime Branch and it is pending for investigation.

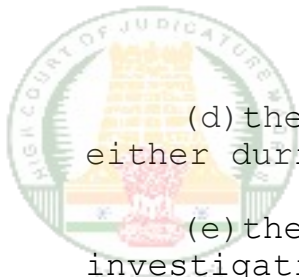
7. Considering the above fact and circumstances, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Court No.I, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]petitioners shall deposit a sum of Rs.5,00,000/- (Rupees Five lakhs only) each to the credit of Crime No.1924 of 2019 within a period of four weeks before the learned Judicial Magistrate, No.I, Madurai, without prejudice to their defence before the trial Court;

(b)the petitioners and the sureties shall affix their 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 1st petitioner shall report before the respondent police daily morning at 10.30 a.m., without fail, for a period of two weeks and thereafter as on when required for interrogation;



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

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

WEB COPY (f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
07/10/2020

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/ /2020
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 JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9964 of 2020
Date :07/10/2020

dss
TK/SMA/SAR.2/12.10.2020/3P/5C

<https://hcservices.ecourts.gov.in/hcservices/>