



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/11/2020

PRESENT

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

CRL OP(MD) . No.12466 of 2020

J.Jothikumar

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
District Crime Branch,
Trichy.
Crime No. 7 of 2020.

... Respondent/Complainant

For Petitioner : M/s.A.P.Balasubramanian,
Advocate.

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

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

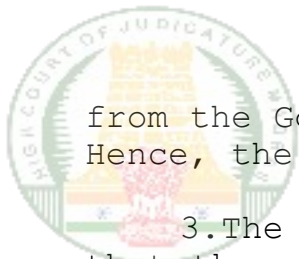
PRAYER :-

For Anticipatory Bail in Cr.No.7 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A3, apprehending arrest at the hands of the respondent police for the offence punishable under Section 420 IPC, in Crime No.7 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons have acted as P.A to the former Chief Minister of Tamil Nadu and they have spoken sugar code words to the defacto complainant that they assured to open a trust for which, they arranged aid from the Government to the tune of Rs.50 crore. Initially, for such process, they have collected a sum of Rs.17,40,000/- from the defacto complainant on various days. Thereafter, neither they arranged aid



from the Government nor repay the amount to the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the entire allegations are false. A false case has been lodged as against the petitioner. In fact, the petitioner filed a suit for recovery of money as against A1 & A2 and he has nothing to do with the allegations as alleged by the defacto complainant. He further submitted that already the defacto complainant lodged a complaint and the same was enquired and closed. Subsequently, the defacto complainant filed a private complaint under Section 156 (3) of Cr.P.C and the same was forwarded to the respondent and FIR has been registered.

5.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner is arrayed as A3 and thereafter, he has collected a sum of Rs.5,00,000/- from the defacto complainant. All the accused persons cheated the defacto complainant a sum of Rs.17,40,000/-, stating that they arranged aid from the Government to the tune of Rs.50 crore for starting Trust.

6.It is seen that totally there are 3 accused. The petitioner is arrayed as A3. They have given a false promise that they will arrange the Government aid to the tune of Rs.50 crore to start the Trust. For which, they have collected a sum of Rs.17,40,000/- from the defacto complainant. Thereby, they cheated the defacto complainant. Insofar as the petitioner is concerned, they collected a sum of Rs.5,00,000/- from the defacto complainant. Therefore, the petitioner committed very serious offence in the name of former Chief Minister of Tamil Nadu and in the name of former P.A of Chief Minister of Tamil Nadu.

7.Considering the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

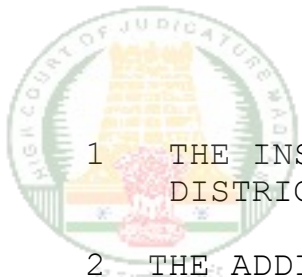
8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
05/11/2020

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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.



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

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

ORDER

IN

CRL OP(MD) No.12466 of 2020

Date :05/11/2020

dss

AE/SMA/SAR-III (18.11.2020) 3P 3C