



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

Date : 09/12/2020

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PRESENT

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

CRL OP(MD) . No.14105 of 2020

S.Kandasamy

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
District Crime Branch,
Karur District.
Crime No. 20/2020.

... Respondent/Complainant

For Petitioner : Mr.P.Muthamizh Selvakumar,
Advocate.

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

For Intervener : Mrs.S.Prabha, Advocate

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

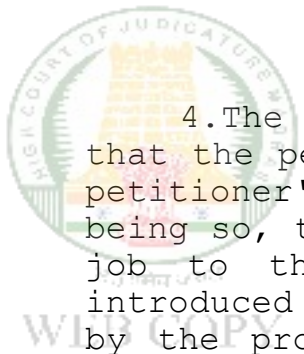
PRAYER :-For Anticipatory bail in Crime No. 20/2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 409 and 420 of IPC, in Crime No.20 of 2020 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons have collected a sum of Rs.17,75,000/- from the defacto complainant to get a job in the TNPL. Thereafter, the petitioner did not get a job in TNPL and return the amount. Further allegation that so far the petitioner has given a sum of Rs.4,45,000/- to the defacto complainant and the remaining amount of Rs.13,00,000/- yet to be paid. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the intervener/defacto complainant and the learned Government Advocate (Crl. Side) appearing for the respondent Police.



4.The learned counsel appearing for the petitioner submitted that the petitioner and the defacto complainant are friends and the petitioner's sister husband was working as contractor in TNPL. While being so, the defacto complainant has continuously demanded to get a job to the defacto complainant. Therefore, the petitioner has introduced his relatives and did not receive any amount as alleged by the prosecution and the petitioner is nothing to do with the offence as alleged by the prosecution.

5.The learned counsel appearing for the intervener/defacto complainant submitted that the defacto complainant is a B.Tech graduate and he has paid a sum of Rs.17,75,000/- to the petitioner, since his sister's husband was working as contractor in TNPL. Therefore, he had promised to get a job to the defacto complainant. Believing the said words, the defacto complainant has given a sum of Rs.17,75,000/- to the petitioner. Thereafter, he failed to get a job and did not return the balance amount of Rs.13,00,000/- to the defacto complainant. Hence, he prayed to dismiss the petition.

6.The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the accused persons have collected a sum of Rs.17,75,000/- from the defacto complainant to get a job in the TNPL. Thereafter, the petitioner did not get a job in TNPL and return the amount. Further allegation that so far the petitioner has given a sum of Rs.4,45,000/- to the defacto complainant and the remaining amount of Rs.13,00,000/- yet to be paid.

7.Considering the facts and circumstances of the case and also considering the fact that the petitioner has committed very serious offence and the custodial interrogation of the petitioner is very much required, this Court is not inclined to grant anticipatory bail to the petitioner.

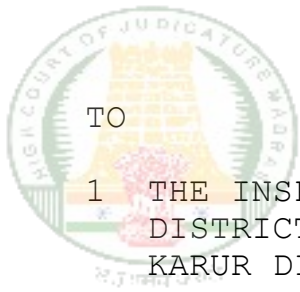
8.Accordingly, this criminal original petition stands dismissed.

sd/-
09/12/2020

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/ /2021
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,
KARUR DISTRICT.

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

+1. CC to Mrs.S.PRABHA, Advocate SR.No.8046

ORDER

IN

CRL OP(MD) No.14105 of 2020

Date :09/12/2020

vsg

AE/KV/SAR-III (11/01/2021) 3P / 4C