



WEB COPY

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

Date : 03/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.19541 of 2019

1. Malarkanni,
2. Rajammaal,

... Petitioners/Accused Nos.1 & 3

Vs

State:

The Inspector of Police,
Parthibanoor Police Station,
Ramnad District.
(Crime No.214/2019).

... Respondent/Complainant

For Petitioners : M/s.V.Kannan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

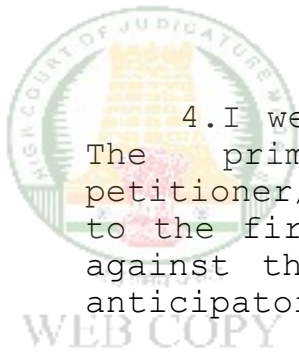
For Anticipatory Bail in Crime No.214 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

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

2.The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) of I.P.C., in Crime No.214 of 2019 on the file of the respondent police, seek anticipatory bail.

3.It is a case of job racketing. The de-facto complainant one Sudha has parted with a sum of Rs.5,00,000/-, based on the assurance given by the first petitioner herein that she would get her a Government employment.



4.I went through the contents of the First Information Report. The primary allegations are only against the first petitioner/Malarkanni. Therefore, I am not inclined to grant relief to the first petitioner. However, there are no serious allegations against the second petitioner. Therefore, I am inclined to grant anticipatory bail to the second petitioner/Rajammal.

5.The petitioners' counsel states that the de-facto complainant has falsely implicated all the members of the family. He would point out that the daughter of the first petitioner, namely, Gayathri, who is studying in 10th standard has also been shown as an accused (A5). If Gayathri is a minor, she could not have been made as an accused in this FIR. In any event, the transaction appears to be only between the Malarkanni on the one hand and the de-facto complainant on the other. Therefore, the respondent police is directed to file an alteration report deleting Gayathri from the array of accused.

6.In view of the above, I am inclined to grant anticipatory bail to the second petitioner with certain conditions. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Paramakudi, and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the second petitioner shall appear before the respondent police as and when required for interrogation. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7.The second petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/01/2020

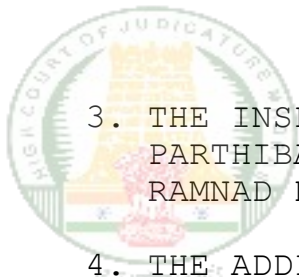
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI.

2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



3. THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION,
RAMNAD DISTRICT.

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

+1 CC to M/s.V.KANNAN, Advocate (SR-117[I] dated 03/01/2020)

ORDER
IN
CRL OP(MD) No.19541 of 2019
Date :03/01/2020

SJI
AE/VR/SAR-III (08.01.2020) 3P 6C