

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3554 of 2021

A.R.VENKATACHALAPATHI [PETITIONER / ACCUSED]

Vs

STATE REP BY [RESPONDENT]

ASSISTANT COMMISSIONER OF POLICE,
CONVENTIONAL CRIME,
CENTRAL CRIME BRANCH,
VEPERY, CHENNAI
(Crime No.310 of 2020)

For Petitioner : M/S.K.SURESH BABU Advocate

For Respondent : MR. T.SHANMUGARAJESWARAN,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 468 and 471 IPC, in Crime No.310 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that complaint was lodged by the Secretary, TNPSC on the allegation that the appointment order provided to one Padmavathi was not genuine and is a fake one and the investigation led to the filing of the case against the petitioner, who had created bogus appointment order and cheated so many persons under the guise of getting employment.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is a totally blind person. He further submits that the petitioner had allowed the other accused to use his bank account for transferring funds for petty commission, which resulted in implication of the petitioner in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that it is a case relating to appointment in government jobs and that the

complaint had emanated from TNPSC. He further submits that the petitioner and others cheated so many persons under the guise of getting employment. He further submits that the petitioner and other accused created bogus appointment orders and cheated very many persons to the tune of several lakhs and that investigation is still pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact that large amounts of money is involved and that the petitioners have cheated under the guise of job racket and have also to the extent of issuing fake appointment orders and taking into consideration the fact that investigation is still going on, enlarging the petitioners on anticipatory bail at this point of time, when the offence is serious in nature and there is likelihood of the petitioners indulging in activities which would be prejudicial for investigation, this Court is not inclined to grant anticipatory bail to the petitioners. Merely because the petitioner is stated to be a blind person would not suffice for this Court to enlarge the petitioner on bail, when it is the admitted case of the petitioner that he has lent his bank account for the purpose of receiving commission, which clearly shows that the petitioner too has nexus with the offence and, therefore, a full fledged investigation is necessary to unearth the real culprits and bring them before law. Therefore, this Court is not inclined to grant the relief as sought for.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

28/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 STATE REP BY
ASSISTANT COMMISSIONER OF POLICE,
CONVENTIONAL CRIME, CENTRAL CRIME BRANCH,
VEPERY, CHENNAI.

2. THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS - 104.

CC TO M/S.K.SURESH BABU ADVOCATE on payment of necessary charges

CRL OP.3554/2021

Date :28/04/2021

A.SK(23.06.2021)

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