

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.5332 of 2021

1 T.KUMARAVEL
2 P.S.RAMYA
3 M.SAVITHA

[PETITIONERS / ACCUSED]

vs

STATE REP. BY
THE INSPECTOR OF POLICE,
EDF-I WING,
CENTRAL CRIME BRANCH,
VEPERY,
CHENNAI-600 007.
CRIME NO.306 OF 2019.

[RESPONDENT]

For Petitioner : M/S.ARIVAZHAGAN Advocate for
M/S.M.GNANASEKAR Advocate

For Respondent : MR.R.ANEESAN 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 under Sections 406, 420, 506(i) and 34 of IPC in Crime No.306 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The de-facto complainant had given a complaint stating that the first petitioner/second accused and the second petitioner/first accused, who are spouses working as Physical Education Teacher in St. John Higher Secondary School and Suginibai Santhadharma Girls Higher Secondary School, Sowcarpet, Chennai, had promised that they would get a medical seat for the son of the de-facto complainant and also collected a sum of Rs.66,00,000/-. Out of the said sum, a sum of Rs.22,00,000/- had been paid by way of a bank transfer. The 3rd accused is a member of a prominent political party. When the previous petition for anticipatory bail came up for consideration, the same was dismissed holding that the investigation is at a preliminary stage and that further witnesses will have to be examined.

3. Today, Mr.R.Aneesan, learned Government Advodate (Crl. Side) would submit that investigation has been completed and charge sheet has also been filed before the Metropolitan Magistrate Court, Egmore and hence, it would be appropriate that the parties are relegated back to the Special Magistrate Court.

4. Learned Magistrate may keep in mind that the petitioners have not been secured during the investigation period and that earlier anticipatory bail application had been dismissed. Learned Magistrate is directed to issue notice to the de-facto complainant before taking decision either granting anticipatory bail to the accused or otherwise. Liberty is given to both the parties to raise their respective stands before the learned Special Metropolitan Magistrate for CCB & CBCID Cases, Egmore.

5. With the above observation, this Criminal Original Petition is dismissed.

-sd/-
23/04/2021

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 THE SPECIAL METROPOLITAN MAGISTRATE
FOR CCB & CBCID CASES,
EGMORE, CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI[FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE
EDF-I WING, CENTRAL CRIME BRANCH,
VEPERY, CHENNAI-600 007.

+1CC to M/S.M.GNANASEKAR Advocate on payment of necessary charges SR NO.5281

CRL OP.5332/2021

Date :23/04/2021

MK:30/04/2021



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