

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirtieth day of April Two Thousand Twenty One
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION NO.12199 OF 2020
AND CRL.MP.NO.4950 OF 2021

A.CHAKKARAI [PETITIONER / ACCUSED]

Vs

STATE BY [RESPONDENT]

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ARIYALUR,
ARIYALUR DISTRICT,
CRIME NO.5 OF 2019

1 N.MUTHUSAMY [PETITIONERS / RESPONDENTS /
2 R.PRIYA COMPLAINANTS]

[Ordered as per order of this Court dated 30/04/2021 made in
CRL.MP.NO.4950 OF 2021 IN CRL.OP.NO.12199 OF 2020]

For Petitioner : M/S.R.AMIZHDHU Advocate

For Respondent : M/S.T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl.Side)

For Intervener : M/S.P.GURUNATHAN Advocate

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 120(B), 177, 193, 198, 466, 469 and 169 IPC, in Crime No.5 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons created a forged transfer order and executed the order by giving the same to the CEO, which led to the lodging of the complaint by the CEO before the respondent police.

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 has no nexus with the offence committed by A1 and A2. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the petitioner along with other accused persons created a forged transfer order and gave it to the CEO. He further submits that investigation is still pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the intervenor submits that the petitioner had received a sum of Rs.11,00,000/- from the defacto complainant for the purpose of getting Government Teacher Post. Thereafter, the petitioner has given a fabricated order to the defacto complainant. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

6. Considering the fact that not only a large amount of money is involved, but the matter also relates to job racketing and forging of orders of transfer, which has resulted in cheating the public as also the governmental machinery and a comprehensive investigation has to be conducted by the respondent police to find out the complicity of the persons involved in the offence as also to find out the details of the persons, who have fallen to the guile of the petitioner and the other accused and also taking into consideration the fact that investigation is still pending, enlarging the petitioner on anticipatory bail at this point of time, that too when the offences are serious in nature and also not forgetting the fact that not only there is likelihood of the petitioner indulging in similar activities, but also indulging in activities, which would hamper the investigative process, this Court is not inclined to grant anticipatory bail to the petitioner.

7.For the reasons aforesaid, this criminal original petition fails and the same is dismissed.

-sd/-

30/04/2021

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 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH
ARIYALUR, ARIYALUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to R.AMIZHDHU Advocate on payment of necessary charges
SR.NO.5759

CRL.OP.NO.12199/2020
& CRL.MP.NO.4950/2021

Date :30/04/2021

MK:07/06/2021



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