



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.750 of 2021

1. Vignesh
2. Rethina Prakash
3. Nandhini

... Petitioners/Accused 1,2 & 4

Vs

The State by
The Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.1 of 2021).

... Respondent/Complainant

For Petitioners : Mr.D.Venkatesh,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

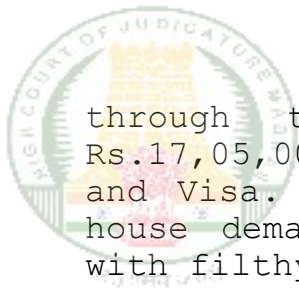
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.1 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1, A2 and A4, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 406, 467, 471, 294(b), 506(i), 420 and 120-B I.P.c and Section 24(1)(b) of the Emigration Act, 1983, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners 1 and 2 were running a Travels in the name of "SVR Air Links and Manpower Consultancy at Karaikudi." Under the guise of sending defacto complainant to Kuwait for job through third accused, viz.,Abubakkar, they received a sum of Rs.1,90,000/- . Likewise, under the guise of sending seven other persons, to various foreign countries for job



through the third accused, and they received a sum of Rs.17,05,000/-. Thereafter, the accused issued forged offer letters and Visa. When the defacto complainant and others visited their house demanding repayment of amount, the accused persons scolded with filthy language and made a threat with dire consequences.

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3. The learned counsel for the petitioners would submit that on receipt of the said amount the third accused cheated all, including the petitioners and escaped from the locality. Later on, the first petitioner came to know, the third accused is at Delhi and he gave a detailed complaint against the third accused, on 25.07.2019, before the Station House Officer, Badarpur Police Station, Delhi and during the enquiry, the third accused agreed to repay the swindled amount and came to Tamil Nadu and the present complaint came to be lodged with an ulterior motive and the petitioners have nothing to do with the alleged offence and hence, he prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (criminal side) would submit that the petitioners and other accused have cheated huge amount of money ie. Rs.17,00,000/-, on the promise of securing job. The petitioners 1 and 2 are the son of the third petitioner. A3 in this case is the main accused and hence, custodial interrogation of the petitioners is very much required and hence, prayed the petition to be dismissed.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondent police.

6. Considering the rival submissions and on perusal of materials, it is seen that eight victims are involved in this case, who have been promised employment, for which the petitioners herein have received money through Bank accounts. There are documentary proof to show that the victims have deposited money to the account of the petitioners. The contention of the petitioners is that after undertaking has been given by said Abubakar, in which three of the victims have signed as witnesses.

7. In view of the same, the petitioners cannot sought indulgence from this Court. Hence, this Criminal Original Petition is dismissed. Though it is a job racketing, the respondent police concerned take action here after.

sd/-
11/03/2021

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

ORDER
IN
CRL OP(MD) No.750 of 2021
Date :11/03/2021

Ls
AE/SMA/SAR-III (24/03/2021) 3P / 3C