



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD).Nos.3349, 3353, 3354 and 3351 of 2021

1. Praveenkumar @ Ravichandran

2. Alagulakshmi@ Lakshmi ... Petitioners/Accused No.2 and 3
in CRL OP(MD)No.3349/2021

1. Alagulakshmi @ Lakshmi

2. Praveen@Ravichandran ... Petitioners/Accused No.2 and 3
in CRL OP(MD)No.3353/2021

1. Alagulakshmi @ Lakshmi

2. Praveenkumar Alias Ravichandran,
... 2nd Petitioner/Accused Rank not Known
in CRL OP(MD)No.3354/2021

Alagulakshmi @ Lakshmi ...Petitioner/Accused No.2
in CRL OP(MD)No.3351/2021

Vs

State Through
The Inspector of Police,
K.Pudupatti Police Station,
Pudukkottai District. ...Respondent/Complainant in all Crl.O.Ps.
Crime Nos.35, 36, 37 and 38 of 2020

In all petitions:-

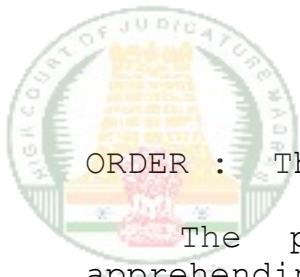
For Petitioners: Mr.Raja Mohamed.B.N.,
Advocate.

For Respondent : Mr.K.R.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

<https://hcservices.courts.gov.in/hcservices/>
For Anticipatory Bail in Crime Nos.35, 36, 37 and 38 of 2020 on
the file of the respondent Police.



ORDER : The Court made the following order :-

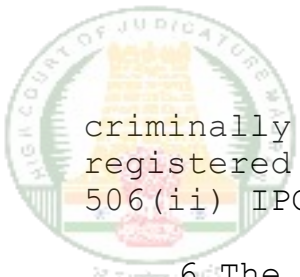
The petitioners, who are arrayed as accused 2 and 3, apprehending arrest at the hands of the respondent police for the offences alleged in the respective Crime Nos.35, 36, 37 and 38 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The brief case of the prosecution in these cases are as follows:

3.The case of the prosecution in Crime No.35 of 2020 is that the petitioners and other accused on the promise of getting employment to the son of the *de facto* complainant in Indian Railways got totally a sum of Rs.18,19,500/- from the defacto complainant through cash and banking transactions. However, they did not get railway job as promised to the defacto complainant's son. When the defacto complainant demanded repayment of amount, the first accused gave a cheque for Rs.6 lakhs on 11.04.2019. But prevented him from depositing the cheque for encashment. When they demanded the money for several times, he did not repay the money. On 15.02.2020, when the *de facto* complainant and his son went to the petitioner's house, the petitioners and other accused said to have abused them and criminally intimidated them. Hence, the case has been registered for the offence punishable under Sections 420, 294(b) and 506(ii) IPC.

4.The case of the prosecution in Crime No.36 of 2020 is that A1/Jothiraj introduced himself as an Auditor in Indian Army and told that he got employment for several persons in Government Sectors. On the promise to get employment to the defacto complainant's daughter and grand son, he received a sum of Rs.2 lakhs from the defacto complainant and Rs.2 lakhs from one Arunkumar and Rs.5,27,000/- from one Ilangovan and Rs.7,00,000/- from one Silambarasan and Rs.5,00,000/- from one Darmaselvan. After receipt of money, he did not get a Government job as promised. He further demanded Rs.6 lakhs from them. Even after receipt of money, he did not ensure the government job as promised. When the first petitioner/A2 was enquired by the defacto complainant, she said to have abused the defacto complainant in filthy language and also have reprimanded that she will be reported before the police for attempting to outrage her modesty. Hence, the case was registered for the offence under Section 420 IPC.

5.The case of the prosecution in Cr.No.37 of 2020 is that the Jothiraj/A1 promised to get Teacher job in Government school for the defacto complainant's sister. On his assurance, the defacto complainant gave Rs.7 lakhs to the accused. Thereafter, he did not get a Government job as promised. All the accused absconded from their place of residence. Then the defacto complainant came to know that the petitioners had involved in similar kind of job rocketing with several persons. When he enquired and demanded the money, on 23.03.2020 the petitioners and the other accused said to have



criminally intimidated and also abused him. Hence, the case has been registered for the offence under Sections 420, 147, 148, 294(b) and 506(ii) IPC.

6. The case of the prosecution in Crime No.38 of 2020 is that Jothiraj/A1 promised to the defacto complainant for getting employment in judicial department and demanded a sum of Rs.7 lakhs each from the defacto complainant and his brother. On his assurance, the defacto complainant gave a sum of Rs.14 lakhs on several dates. However, the accused have not secured any job in the judicial department. When the defacto complainant demanded to return the money, the accused Jothiraj/A1 and his wife returned Rs.1 lakh on 22.10.2019 and promised to return the balance amount. After some time, he gave a cheque for Rs.7 lakhs on 27.12.2019 and promised to pay a sum of Rs.5,50,000/- in January. When the cheque was presented for collection on 27.02.2019, it was returned as no sufficient funds. Thereafter, when the defacto complainant demanded money from the accused on 27.01.2020, A1/ Jothiraj, was not in a house, but the petitioner said to have intimidated the defacto complainant with dire consequences. Hence, the case has been registered for the offence under Sections 420 and 506(i) IPC.

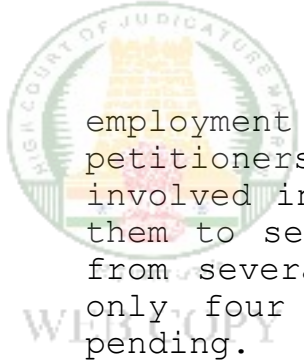
7. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.

8. The learned counsel appearing for the petitioners submitted that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in these cases. Hence, he seeks anticipatory bail to the petitioners.

9. The learned Government Advocate (Crl.side) strongly opposed this petition on the ground that totally 47 complaints were received not only against the accused Jothiraj but also against these petitioners. Total value of money cheated in these four cases is Rs.72 lakhs. Several persons gave money to the accused persons on the promise given to them for getting Government job. He further submitted that investigation is still pending and hence he strongly opposed to grant anticipatory bail to the petitioners.

10. It is seen from the submissions that there are four cases filed by the same respondent police against the petitioners and A1/Jothiraj for the offence under Sections 420, 294(b) and 506(ii) IPC in Crime No.35 of 2020; under Section 420 IPC in Crime No.36 of 2020; under Sections 420, 147, 148, 294(b), 506(ii) IPC in Crime No.37 and under Sections 420 and 506(i) IPC in Crime No.38 of 2020.

11. Considering the facts and circumstances of the case and considering the fact that the prime accused Jothiraj introduced himself an Auditor in Indian Army and projected that he has got influence in Government sector and also judiciary and on the basis of that he promised the de facto complainants for getting



employment in government sectors by getting money from them. The petitioners, who are wife and son of Jothiraj also said to have involved in above said transactions along with Jothiraj and assured them to secure employment in government sector and collected money from several persons. Totally 47 complainants were received, but only four complaints were registered and investigation is still pending. The alleged offences have been committed by the petitioners with the aid of Jothiraj. Considering the systematic fraud committed, this Court is not inclined to grant anticipatory bail to the petitioners.

12.Hence, these Criminal Original petitions stand dismissed.

sd/-
21.04.2021

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/ /2021

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

VSD

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,
K.Pudupatti Police Station,
Pudukkottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) .Nos.3349, 3353, 3354 and 3351 of 2021
Date : 21/04/2021

VB VR SAR-I (27/04/2021) 4P / 3C