



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25.06.2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.7377 of 2021

S.Praveen

... Petitioner/Accused A1

Vs

The State through,
The Inspector of Police,
DCB, Madurai District.
(Crime No.11/2021)

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayaraj, Advocate

For Respondent : Mr.M.Muthumanikkam,
Counsel for Government of TamilNadu
(Criminal Side)

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

PRAYER :- For Anticipatory Bail in Crime no. 11 of 2021 on the file of the respondent Police.

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 406 and 420 of IPC in Crime No.11 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is B.A. Literature, Graduate. Since, he was not able to secure suitable job, he was working as Mason. At that time, one Pitchai and the accused came to be known to him. The accused Praveen stated that he is working in the Airport at Chennai and that he know many officials in the Airport and through them, he would get a job to the defacto complainant in the Cargo Section. For that, the accused demanded one lakh from the petitioner. Therefore, on 12.01.2019, 18.01.2019 and 27.03.2019, the defacto complainant deposited Rs.48,000/-, Rs.10,000/- and Rs.2,000/- respectively to the Bank accounts of the petitioner. The defacto complainant also paid Rs.30,000/- in the presence of one Pitchai. Therefore, the defacto complainant, in total, paid Rs.90,000/- to the accused. Even after payment, the defacto complainant did not get any employment. When



the defacto complainant contacted him, the accused disconnected the phone and avoided talking to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is falsely implicated in this case. He also submitted that since the allegation is that, a sum of Rs.60,000/- is deposited in the account of the petitioner, the petitioner is ready to deposit that amount and seeks anticipatory bail to the petitioner.

4. The learned Counsel for the Government of Tamil Nadu (Criminal Side) appearing for the respondent police opposed this petition on the ground that investigation is pending and this is a case of job racketing.

5. Taking note of the fact that the petitioner is ready and willing to deposit Rs.60,000/-, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand only) to the credit of the Judicial Magistrate Court No.I, Madurai City within a period of two weeks from today, ie., 25.06.2021, without prejudice to his rights and contentions before the trial Court. The learned Judicial Magistrate is directed to disburse the amount on the basis of the result of the case.

[c] the petitioner shall report before respondent police daily at 10.30 am., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation



[f]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/06/2021

/ TRUE COPY /

/ /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 JUDICIAL MAGISTRATE NO.I, MADURAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
DCB, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.RAMSUNDARVIJAY RAJ, Advocate (SR-4192[I] dated 28/06/2021)

ORDER
IN
CRL OP(MD) No.7377 of 2021
Date :25/06/2021

MBI
MS/MNR/SAR-3/29.06.2021/3P.6C