BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on	Pronounced on
01.07.2021	05.07.2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.8258 of 2021

Amirtha Pon Ranjith ... Petitioner/Accused No.1

Vs

State represented by
The Inspector of Police,
District Crime Branch,
Kanyakumari District.
Crime No. 21 of 2020. ... Respondent/Complainant

For Petitioner : Mr.Pon Karthikeyan. R, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.21 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under sections 420 and 468 I.P.C., in Cr.No.21 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a B.B.A., graduate. The petitioner is known to him as a friend of his brother Naveen. The petitioner told him that he is working as Post Master in Thiruvannamalai District and earning a sum of Rs.45,000/- per month. He said that he paid a sum of Rs.10,00,000/- for getting this job. That apart, he informed the defacto complainant that the post of Office Assistant is vacant in the District Collector's Office at Kanyakumari District and he made arrangement for securing employment for four persons. It is his further information that there is one more vacancy and if the

defacto complainant pays Rs.5,00,000/-, he would get that post to him. Believing his words, the defacto complainant paid a sum of Rs.50,000/- on 28.11.2018 through Google Pay Mobile App, to the account of the petitioner. Subsequently, as per the direction of the petitioner, he deposited a sum of Rs.2,00,000/- on 30.11.2018, Rs.1,00,000/- on 12.12.2018 and Rs.1,50,000/- on 20.12.2018 in the account of the second accused in this case. The defacto complainant was asked to come for personal interview on 28.11.2018 to the District Collector Office, Vellore. On 28.11.2018, the defacto complainant had gone to the District Collector Office, Vellore and met the accused. They spoke with one Gunasekaran on Vellore and then informed him that the person responsible for conducting the interview had gone out of station and they promised that he would get his appointment order in a few days. After some days, the petitioner sent to the whats app of the defacto complainant, an appointment order purported to have been issued by the District Collector, Kanyakumari for the post of Office Assistant. The defacto complainant took a copy of the appointment order and went the District Collector office of Kanyakumari District and came to know that, that appointment order is a forged order. Therefore, this case came to be registered on the basis of the complaint given by the defacto complainant.

3. The learned Counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. In fact, the petitioner had also been cheated by the accused Kumaran and one Rajasekar. In this regard, he has given a complaint to the District Crime Branch, kanyakumari District and that has been registered as Cr.No.20 of 2020 for the offences under Section 420 I.P.C., against one Rajasekar and Kumaran. Therefore, the learned Counsel for the petitioner submitted that since the petitioner is also a victim of job rocketing, he prays release of the petitioner on anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the State opposes this petition on the ground that the petitioner had actively involved in cheating not only the defacto complainant in this case, but also certain other persons like Pabitha Selvi, Chiju, Shagaya Jeneesh, Selvin and Shagayamoula. The petitioner had so far collected Rs.21,37,000/- from five persons for getting jobs in Government departments. Only if he is apprehended, his role in this case and in other cases would be brought into light. Therefore, he seeks dismissal of this petition.

5. The petitioner has also filed a copy of the F.I.R., in Cr.No.20 of 2020. Reading of this F.I.R., shows that the first accused in that case is known to him and he introduced the second accused Kumaran. The second accused told him that he knows political bigwigs, police officers and senior most Government officials and that if the petitioner pays money, he would get government job to him in the Post Office as Postmaster in Kanyakumari District. Believing his words, the petitioner deposited

a sum of Rs.8,50,000/- in several installments from June 2017. The petitioner was introduced to one Munusamy - Postmaster working in Arani. Munusamy told him that appointment would be given on the basis of seniority. Then the accused Kumaran gave him a Doctorate degree after getting Rs.50,000/-. He told the petitioner that there are five vacancies in the post of Office Assistant in District Collector Office, Vellore and if any one prepares to pay money, he would make arrangement to get posting. The petitioner informed this to his students and friends. Therefore, Sijiv and Babitha Selvi paid Rs.5,00,000/- each to Kumaran. Selvin paid Rs.5,00,000/- through Google Pay to the accused Kumaran. Sahaya Jenis paid a sum of Rs.1,37,000/- to the accused Rajasekar in October 2018. All the four persons appeared for interview in Vellore District Collector Office and were also issued appointment orders. On verification, it came to be known that the appointment orders were forged orders.

6. Thus reading of the F.I.R., in Cr.No.20 of 2020 shows that this petitioner Amirtha Pon Ranjith was a person, who introduced the victims Sijiv, Babitha Selvi, Selvin and Sahaya Jenis to the accused Kumaran and induced them to pay money to Kumaran for getting government job. It *prima facie* establishes the fact that this petitioner and Kumaran are hand in glove in cheating the aforesaid persons. In the case on hand, it is the case of the prosecution that the defacto complainant paid a sum of Rs.50,000/- to the petitioner on 28.11.2018 through Google Pay and paid a sum of Rs.4,50,000/- to the account of the second accused on the instructions of the petitioner. It is informed that the amount had not been recovered so far from the accused. Because of the abscondance of the accused, the investigation could not be completed. The unemployment situation in the Country is so grave especially during this COVID-19 pandemic situation. The innocent qualified young persons are prepared to pay anything to get a job, especially government job, without actually knowing or knowing fully well that there is a process governed by rules and regulations for getting appointment in a government sector. Taking advantage of their eagerness and desperate need, to get employment, the persons like the petitioner are cheating them, demanding huge sum of money on the promise of getting job. It is an social evil and it has to be dealt with iron hands.

7. Taking all these factors into account, this Court is of the considered view that the custodial interrogation of the petitioner is necessary for collecting material evidence connected with this case. Therefore, this Criminal Original Petition is dismissed.

Sd/-
05/07/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSL

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,
   KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8258 of 2021
Date : 05.07.2021

VB/JC/SAR.II/07.07.2021/4P/3C