



WEB COPY

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

Reserved on	Pronounced on
08.07.2021	12.07.2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.9022 of 2021

M.V.Radhakrishnan ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Karimedu Police Station, Madurai City.
Madurai District.
(In Crime.No.125 of 2021).

... Respondent/Complainant

For Petitioner: Mr.C.Masilamani for
Mr.B.Ravindran, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

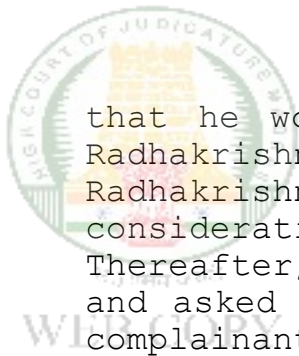
PRAYER :-

For Bail in Crime No.125 of 2021 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 13.05.2021 for the
offences punishable under Sections 294(b), 387, 452 and 506(ii)
I.P.C., in Crime No.125 of 2021 on the file of the respondent
police, seeks bail.

2. The case of the prosecution is that the defacto complainant
is running Thangam Grand Hotel at Bypass road, Kalavasal, Madurai.
His relative one Ganesan was the District Revenue Officer and now an
Indian Administrative Service officer working in TamilNadu. The
defacto complainant used to visit his house. During July 2020, he
visited him at Chennai. Ganesan informed him that one Radhakrishnan
who is the accused/ petitioner in this case had applied for No
Objection Certificate for 7 sites. He could not give approval for
the reason that the sites were not in order. Therefore, the said
Radhakrishnan, who was doing real estate business, had sent false
complaint repeatedly against him. Because of false complaints, he
was put into mental stress. The defacto complainant informed him



that he would talk to Radhakrishnan. In July 2020, he spoke to Radhakrishnan in Thangam Grand Hotel about the complaints. Radhakrishnan told him that he requires two crores as a consideration for not giving complaints against Ganesan. Thereafter, Radhakrishnan repeatedly came to Thangam Grand Hotel and asked for two crores. On 30.08.2020, he contacted the defacto complainant over phone and asked him atleast one crore from Ganesan. That conversation was recorded by the defacto complainant. On 02.02.2021, when the defacto complainant was in Thangam Grand Hotel, the accused came there and scolded in filthy language alleging that the defacto complainant initiated mediation and now he is not getting Rupees One crore from Ganesan. He made criminal intimidation against the defacto complainant. Therefore, this case came to be registered.

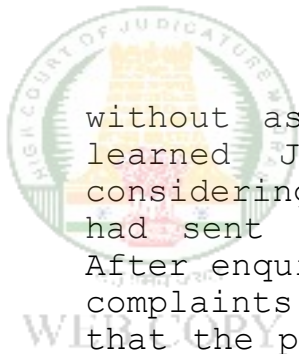
3. The learned Counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He is in judicial custody for the past 54 days and therefore, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor appearing for the State opposes this petition on the ground that the petitioner had blackmailed an IAS Officer, who is a public servant, by sending repeated false complaints. Those complaints, on enquiry found to be not true. The investigation in this case is not completed. Therefore, he seeks dismissal of this petition.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State and perused the materials placed on record.

6. As narrated above, the allegation against the petitioner is that he had sent false allegations against one Ganesan, an IAS Officer, for not approving 'No Objection Certificate' sought for by the petitioner in connection with 7 sites, which were not regularised/in order. When the said Ganesan, IAS Officer, refused to approve and grant No Objection Certificate, it is alleged that the petitioner had sent several false complaints against him. When the defacto complainant, who is the relative of said Ganesan tried to solve this issue, the petitioner said to have been claimed Rupees Two crores from the said Ganesan or atleast one crore. When that was not given, he said to have criminally abused and made criminal intimidation.

7. The petitioner has filed copies of order passed by the Principal District Sessions Judge in Crl.M.P.No.2992 of 2021 and the order passed in Crl.O.P.(MD)No.2393 of 2021. Perusal of these orders show that the petitioner was originally granted bail in this case by the learned Judicial Magistrate No.5, Madurai. That order was challenged before this Court in Crl.O.P.(MD)No.2393 of 2021



without assigning any reason, the bail order was granted by the learned Judicial Magistrate No.5, Madurai. This Court, on considering the submissions and materials, found that the petitioner had sent complaints against Mr.Ganesan with similar allegations. After enquiry by the Director of Vigilance and Anticorruption, those complaints have been closed. Taking this factor and other factors that the petitioner had been sending baseless complaints against an IAS Official, this Court had cancelled the bail granted to the petitioner. Subsequently, the petitioner was arrested and remanded to judicial custody. Thereafter, the petitioner filed the present petition seeking bail.

8. The main allegation against the petitioner is that the petitioner had tried to extract money from an IAS Officer by sending false complaints against him. Not only that, he initially demanded Rs.2,00,00,000/- and then Rs.1,00,00,000/- from the said Ganesan through the defacto complainant for not sending the complaints. When the amount demanding by him was not paid, he criminally intimidated the defacto complainant. When he is dare enough to threat an I.A.S., officer, there is every possibility that he would threaten the witnesses in this case and hamper the prosecution. This is a serious offence. The investigation in this case is not yet completed. Considering the nature and seriousness of offence, the fact that the investigation is not yet completed, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

12/07/2021

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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,
KARIMEDU POLICE STATION, MADURAI CITY.
MADURAI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.9022 of 2021

Date :12/07/2021