



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

Date : 22.10.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD)No.15766 of 2021

WEB COPY

1.Boominathan

2.Papa

... Petitioners / A1 to A2

Vs

State Rep. by
The Inspector of Police,
District Crime Branch,
Karur District.
(Crime No. 4 of 2019)

... Respondent / Complainant

For Petitioners : Mr.S.Arjun

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

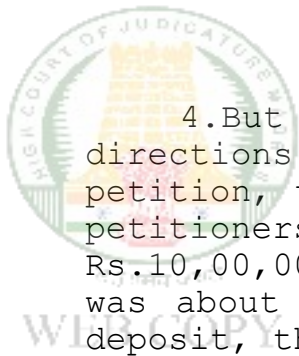
For Anticipatory Bail in Crime No.4 of 2019 on the file of the respondent Police.

ORDER : The Court made the following order :

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420 IPC, in Crime No.4 of 2019, seek anticipatory bail.

2.This is a case of job racketing. The petitioners have collected a sum of Rs.17,05,000/- from the defacto complainant and others under the guise of securing job for them. But they neither secured job nor returned the money. Hence the complaint.

3.It appears that this is the second application filed by the petitioners for anticipatory bail. The earlier application filed by them in Crl.OP(MD)No.4353 of 2019 was allowed on 25.03.2019, based on the submissions of the petitioners' Counsel that the petitioners are ready and willing to deposit a sum of Rs.10,00,000/- and anticipatory bail was granted to the petitioners, subject to the condition that the petitioners shall deposit a sum of Rs.10,00,000/- to the credit of Cr.No.4 of 2019 before the learned Judicial Magistrate No.II, Karur, without prejudice to their defence and the learned Magistrate, in turn, was directed to disburse the amount to the victims.



4. But the petitioners failed to comply with the aforesaid directions and have filed the present petition. Even in this petition, the learned Counsel for the petitioners submitted that the petitioners are ready and willing to deposit the sum of Rs.10,00,000/- without prejudice to their defence. When this Court was about to grant a weeks' time to the petitioners to make such deposit, the petitioners sought for four weeks' time.

5. From the above sequence of events, it is apparent that the petitioners with an inclination to cheat the defacto complainant and others, collected the amount and even after the orders of this Court, have not paid the amount. The earlier order was passed in the month of March 2019, that too, based on their submissions. Nearly for 2 ½ years they remained silent and have not complied with the conditions and now they have come with the present application and are seeking a months' time.

6. For the above said conduct of the petitioners and considering the nature of offence and the quantum of amount involved, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petition stands dismissed.

sd/-
22/10/2021

/ TRUE COPY /

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

gk

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