



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

Date : 11/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.15754 of 2020

1. Sri Pugalindhra
2. Renuga

... Petitioners/Accused Nos.1 & 2

Vs

State represented by
The Inspector of Police,
Koodal Pudur Police Station,
Madurai City, Madurai District.
Crime No.1819 of 2020.

... Respondent/Complainant

For Petitioner : Mr.S.Ramasamy,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

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

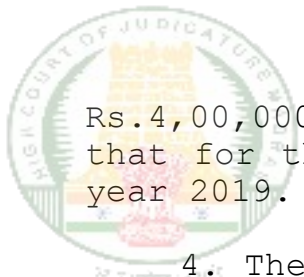
PRAYER :- For Anticipatory Bail in Crime No.1819 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 & 506(1) of IPC., in Crime No.1819 of 2020, on the file of the respondent police, seek anticipatory bail.

3. The learned counsel for the petitioner submitted that A1 is the husband and A2 is his wife. He submits that the defacto complainant and A1 are known to each other. The defacto complainant approached the first petitioner, seeking for a VAO job for his daughter, for which, an amount of Rs.10,00,000/- was deposited. The defacto complainant paid six lakhs through Bank and



Rs.4,00,000/- in cash, to the 2nd petitioner. The petitioners submit that for the amount received, they have executed a pro-note in the year 2019.

4. The learned Government Advocate (crl.side) appearing for the State submitted that it is a job rocketing. The petitioners received an amount of Rs.10,00,000/- from the defacto complainant for arranging VAO job for his daughter and the investigation is under progress.

5. Considering the submissions that the petitioners admitted that they have received a sum of Rs.6,00,000/-, by way of cash and with regard to receipt of other money, they are disputing. It is seen that in this case, the defacto complainant paid a sum of Rs.10,00,000/-, for getting a Government Job, that too, for VAO, for his daughter. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the 1st petitioner / A1 shall deposit a sum of Rs.6,00,000/- to the credit of Crime No.1819 of 2020, on the file of the respondent Police. The petitioners shall produce the proof of deposit, while executing sureties. On acknowledgment of the same, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Madurai, on condition that the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions



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]; and;

(f) if the accused/petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/02/2021

/ 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.IV, MADURAI.

2.-DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KOODAL PUDUR POLICE STATION,
MADURAI CITY, MADURAI DISTRICT.

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

+1 CC to Mr.S.RAMASAMY, Advocate (SR-1003[I] dated 15/02/2021)

ORDER
IN
CRL OP(MD) No.15754 of 2020
Date :11/02/2021

MPK
AE/JC/SAR-IV (17/02/2021) 3P / 6C