



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/11/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17681 of 2021

Valampuri

... Petitioner/Accused No.6

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Sivagangai District.
In Crime No.1 of 2021.

... Respondent/Complainant

For Petitioner : Mr.K.Krishna,
Advocate.

For Respondent : Mr.RMS.Sethuaman,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.1 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 469, 471, 294(b), 506(i), 420 and 120(b) IPC and Section 24(1)(b) of Emigration Act, 1983 in Crime No.1 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the *defacto* complainant has parted over Rs.1,90,000/- for getting a job at abroad through A3 and A1 to A6 acted as agents. Apart from *defacto* complainant, from others also, the accused persons also collected money for getting job in abroad. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and not committed any offence as alleged by the prosecution. The petitioner is the father-in-law of A1, due to that a false case has been foisted against him. He would also submit that co-accused were already enlarged on bail and the petitioner is not having any previous case and seeks anticipatory bail to the



4.The learned Additional Public Prosecutor would submit that it is a case of job racketing and investigation is not yet completed and also the petitioner is not having any previous case to his credit.

5.Admittedly, the petitioner is the father-in-law of first accused. It is a case of job racketing. Considering the facts that main accused was released on statutory bail and other accused have been granted anticipatory bail, as per order of this Court in Crl.OP (MD)No.9842 of 2021 and that the petitioner is not having any previous case for similar or serious offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or 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.II, Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 conditions 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 shall report before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

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

(d)the petitioner 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 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]***; and;

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

sd/-
15/11/2021

/ 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.II,
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, SIVAGANGAI DISTRICT.

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

+1 CC to Mr.K.KRISHNA, Advocate (SR-8117[I] dated 16/11/2021)

ORDER

IN

CRL OP(MD) No.17681 of 2021

Date :15/11/2021

PNM

MK/PN/SAR.I/24.11.2021/3P/6C