



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6847 of 2022

SUBASH SWAMINATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.
CRIME NO.147 OF 2022.

[RESPONDENT]

For Petitioner : M/S. J.RANJITHKUMAR Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under section 420, 506(1) of IPC, 1860 in Crime No.147 of 2022 seeks anticipatory bail.

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

3. The complaint indicates that the defacto complainant was cheated by the petitioner herein by promising to get a job. Whereas, the case of the petitioner is that the defacto complainant on 27.09.2019 kidnapped one Ilayaraja and due to previous enmity, the case was registered against him and six others for kidnapping in crime No.606/2019 under Section 147, 365, 506(2) of IPC and this petitioner supported the said Ilayaraja and that is the reason why the complaint has been given. However, from the complaint, this Court finds that a post dated cheque for Rs.2 lakhs was given to the



accused herein to get an appointment in a Government Department and since he did not secure a job and also failed to return the money, he approached the accused for return of money at that time, he was intimidated.

4. This Court is also of the view that as far as any person who has given money to secure job in Government is also an accused accomplish with crime and taken into custody and interrogated. The person/accused of the crime is to be prosecuted. In this case, the defacto complainant himself has admitted that he has advanced some money to the accused person to secure job in State or Central Government and also participated in the crime and abetting the accused. Hence, the defacto complainant is also to be secured, interrogated and prosecuted.

5. In view of the same, this Anticipatory Bail Petition stands dismissed and directed the respondent police to secure the defacto complainant and take action against him in accordance with law.

-sd/-
25/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. J.RANJITHKUMAR Advocate on payment of necessary charges SR.NO.4693

CRL OP.6847/2022

Date :25/03/2022

JPA 30/03/2022