



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7737 of 2022

1 MALARKODI

[PETITIONERS / ACCUSED]

2 MANIYAN

3 MANIKANDAN

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
NAMAKKAL DISTRICT.
(CRIME NO.4/2021)

[RESPONDENT]

For Petitioner : M/S.K.S.VIVEKANANDAM Advocate

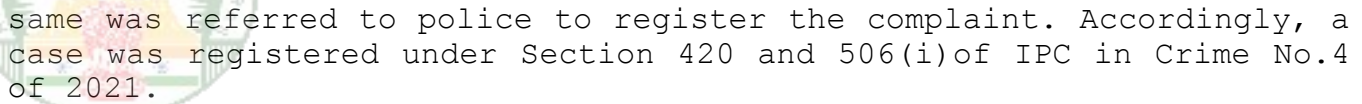
For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 & 506 (1) of IPC in Crime No. 4 of 2021 on the file of the respondent police, seek anticipatory bail.

2.These petitioners apprehend arrest by the respondent police on the complaint given by Murugandnam alleging that the petitioners have received nearly Rs.6,00,000/- by bank transaction promising that they will secure him a job as Assistant Manager in Tamil Nadu Paper Mill Company, Pugalur. Thereafter, having realised that they have cheated him, he demanded the money, but they threatened his family. Hence, he approached the District Superintendent of Police, Erode, on 26.12.2017 and gave a complaint, but no action was taken. Later, again, he gave a complaint, which ended up in enquiry and admission of the petitioners to return the money. However, only Rs.75,000/- was paid on 05.06.2018 and the balance amount was not repaid and a private complaint was lodged before the Judicial Magistrate and the



4. The petitioners herein though claim innocent, the investigation indicates that they have received money from the defacto complainant promising him to get a job in Tamil Nadu Paper Mill Limited. The petitioners are pursuing the complaint since 26.12.2017. The nature of the complaint indicates that the defacto complainant, who wants to get job through back door, has been cheated by the petitioners herein. It is the case where proper investigation is required. For that purpose, this Court is inclined to grant anticipatory bail to the petitioners.

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(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 have been imposed and the petitioners 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/-

04/04/2022

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 JUDICIAL MAGISTRATE,
PARAMATHI, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.K.S.VIVEKANANDAM Advocate on payment of necessary charges SR.No.5159

CRL OP.7737/2022

Date :04/04/2022

CSK 07/04/2022