



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.14175 of 2022

1.C.Manikandan
2.K.Balakrishnan

..Petitioners/A11 & 12

Vs.

State rep.by,
The Inspector of Police,
Prevention of Employment Fraud Wing,
Team No.36, Central Crime Branch,
Chennai.
Crime No.245 of 2021.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in crime No.245 of 2021 on the file of the respondent police.

For Petitioners : Mr.S.Prabhudoss

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 26.04.2022 for the offence punishable under Sections 417, 465, 468 r/w 34 & 120(B) of IPC in crime No.245 of 2021 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the defacto complainant i.e. one, R.Sudareasan working at Regional Office of AICTE Southern Regional Office at Chennai located at Shastri Bhavan and he received some phone calls stating that some unknown persons are involved in the name of AICTE and misusing the logo of AICTE. It was ascertained from the phone calls that it is being done confidentially and the interviews are being conducted in star hotels and around 18 people have been recruited. But the person called the office did not reveal his name, but he has forwarded the whats app messages received from the so called recruiters. Thereafter, the said issue was intimated to



Delhi Headquarters. It is understood that bank details of the persons who were targeted were asked by the said unknown persons. Further a whats app group is also coined with a name "AICTE CHENNAI DISTRICT". In this regard, a circular has been issued on 18.11.2021 in the website of AICTE informing not to believe such phone calls. Even thereafter, fake calls are continued. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that even according to the case of the prosecution, the accused persons attempted to collect money from the victims to get job in AICTE and they never received any money from the victims. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally twelve accused, wherein the petitioners are arrayed as A11 and A12 and now, A1 to A8 were released on statutory bail. All the accused persons have involved in the offence of conducting fake interviews for the recruitment in the name of AICTE.

5. Even according to the case of the prosecution, the accused persons have attempted to collect money from the victims to get job, however they have not collected any money. Considering the facts and circumstances of the case and also the period of incarceration by the petitioners from the date of arrest i.e. 26.04.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two blood related sureties, each for a like sum to the satisfaction of the learned Chief Metropolitan Magistrate, Egmore, Chennai and on further conditions that:

[a] 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. and 05.30 p.m. until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

20/06/2022

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 CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PREVENTION OF EMPLOYMENT FRAUD WING,
TEAM NO.36, CENTRAL CRIME BRANCH,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

CC to M/S. S.PRABHU DOSS Advocate on payment of necessary charges

CRL OP.14175/2022

Date :20/06/2022

TA-22/06/2022