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CrI.O.P.No. 30580 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 22.10.2022 for the alleged offence under Sections 406 and 420 I.P.C. in Crime No.33 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this is a case of job racketing. The petitioner, who is working as a teacher approached the defacto complainant's father, who is retired from TNEB service by 2009 and thereafter he worked under Thiruvannainallur EB service under contract basis till 2017. While being so, he assured defacto complainant's father that he will get a job of Gangman and Assistant Engineer under T.N.E.B. Believing his words, the defacto complainant's father collected a sum of Rs.3,00,000/- each for the above post, who were serving under him for about 38 persons since 2019, which amounting to Rs.85,50,000/- and given to the petitioner. However, the petitioner also received a sum of



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Rs.4,75,000/- directly from two persons. Thereafter, when the defacto complainant's father died, the alleged persons sought money from her and hence, she approached the petitioner, thereby he gave some filled promissory notes to the persons and promised to return total amount of Rs.94,50,000/- within some time. However, he returned back only a sum of Rs.24,50,000/- and the remaining amount is Rs.70,00,000/-, which is delayed by the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner submitted that his father only given money to A1 and A3 and the petitioner is a teacher, he has not directly involved in the offence as alleged by the respondent police and the victims also not directly affected by this petitioner. He would submit that the defacto complainant's father received money and subsequently he died. Hence, the entire money goes to A1 and he is not yet retired and he only induced the other accused and the petitioner has not received any money. He would submit that entire amount was received by father of defacto complainant and he also subsequently died. So, the victims have approached the defacto complainant and in order to escape from the liability



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of money transaction, the defacto complainant lodged a false complaint against him. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the offence. He would further submit that the petitioner has been suffering incarceration for more than 50 days from 22.10.2022. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that based on a false promise to obtain a job in T.N.E.B., the victims have given a sum of Rs.94,50,000/- and so far, he returned a sum of Rs.24,50,000/- and he has to pay the remaining sum of Rs.70,00,000/-. He would submit that other two accused were released on bail and if he is released on bail, he will tamper the witnesses and hamper the investigation and the investigation is not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the fact that detailed



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investigation is to be conducted in the case of job racketing and nearly 38 persons gave money to the defacto complainant's father and also considering the gravity of offence committed by the petitioner and also considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

12.12.2022

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