



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/02/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.1248 of 2022

1. Veeramani
2. Malarvannan

... Petitioners/Accused Nos.1&2

Vs

The State rep.by
The Inspector of Police,
Eriodu Police Station,
Dindigul District.
Cr.No. 19 of 2022.

... Respondent/Complainant

For Petitioners: Mr.C.MAYILVAHANA RAJENDRAN, Advocate.
For Respondent : Mr.R.SIVAKUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.19 of 2022 on the file of the Respondent Police.

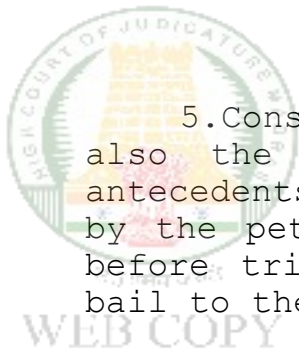
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 406 and 506(i) IPC, in Crime No.19 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner informed the *defacto* complainant that he would arrange driver job at Tamil Nadu Transport Corporation, through the second petitioner and the *defacto* complainant paid a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the second petitioner and Rs.1,00,000/- (Rupees One Lakh only) to the first petitioner, but the petitioners failed to arrange job, as promised. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the first petitioner is the Ward Counsellor, the second petitioner is the President of Kombai Panchayat and his wife is the Union President of Kujiliyamparai Panchayat. Due to political motive, the above case came to be registered. He would further submit that to show their bonafide, they are ready to deposit Rs.3,00,000/- (Rupees Three Lakhs only), before the trial Court.

4.The learned Government Advocate (Crl.Side) would submit that it is a case of job racketing and that the petitioners are not having any bad antecedents at their credit.



5.Considering the above facts and circumstances of the case and also the facts that the petitioners are not having any bad antecedents and also taking note of the undertaking affidavit filed by the petitioners to pay Rs.3,00,000/- (Rupees Three Lakhs only) before trial Court, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of the Crime No.19 of 2022, before the Trial Court, within a period of two weeks from the date of receipt of the order copy;

7.On such deposit, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vendasandur, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with the 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 / petitioners thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

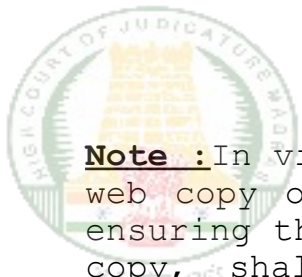
sd/-

11/02/2022

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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, VEDASANDUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ERIODU POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.MAYILVAHANA RAJENDRAN.C Advocate SR.No.1101

ORDER

IN

CRL OP(MD) No.1248 of 2022
Date :11/02/2022

SA/PN/SAR.2/21.02.2022/3P/6C