



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/10/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.5805 of 2022

1. H.A.Hartin,
2. Jeevajothi,

... Petitioners/Accused Nos.1 & 2

Vs

1. The State Rep. By,
The Inspector of Police,
City Crime Branch,
Trichy City.
(Crime No.2 of 2022)

... Respondent/Complainant

(*)2. C.Ramesh Kumar

... 2nd Respondent

(*)R2 Suo Motu impleaded as Per Order
of This Court dated 29.03.2022 in
Crl.O.P(MD) No.5805/2022)

For Petitioner : M/s.Aayiram K.Selvakumar,
Advocate.

For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

For R2 : Mr.Makesh Kumaravel,
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 2 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 offences punishable under Sections 417,
420 and 506(1) of IPC, in Crime No.2 of 2022, seek anticipatory
bail.



2.The case of the prosecution is that the defacto complainant has given a sum of Rs.1.50 crore to the petitioners and one Hendri Rajasekar, in the year 2009, for the purpose of appointment of Teachers post. Subsequently, during 22.04.2017 to 27.07.2017, the defacto complainant has given additional sum of Rs.1.50 crore to the petitioners and the said Hendri Rajasekar. Thereafter, the accused could not arrange the job to the defacto complainant and also refused to return the said amount. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the first petitioner is the former Bishop of Tamil Evangelical Lutheran Church during the period of 2009 to 2014 and the second petitioner is his wife and the Hendri Rajasekar is the brother of the first petitioner. In order to grab the money, a false complaint has been registered against the petitioner. He would further submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, they may be granted anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that it is a case of job racketing. The petitioners totally received a sum of Rs.3,00,00,000/- from the defacto complainant by giving false promise to get a Government job and thereafter, they failed to secure the job and refused to return the said amount. The investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

5.The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioners.

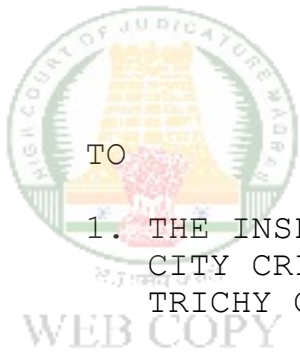
6. Considering the seriousness and gravity of the offence and also considering the fact that the quantum of amount involved in this case and also the fact that the investigation is pending and the custodial interrogation of the petitioners is very much necessary as stated by the learned Government Advocate (Crl. side), this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
14/10/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY CITY.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.M.MAKESH KUMARAVEL, Advocate (SR-11469[I] dated
17/10/2022)

ORDER

IN

CRL OP(MD) No.5805 of 2022

Date :14/10/2022

cp

USK/SSS/SAR-I/02.11.2022/3P/4C