



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.6507 of 2022

1. Muthumari,

2. Surya Balaji @ Balaji, ... Petitioners/Accused Nos. 2 & 4

Vs

THE STATE REP BY,
The Inspector of Police,
Chekkanurani Police Station,
Madurai District.
(Crime No.26/2021).

... Respondent/Complainant

For Petitioner : MR.S.Balaji, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

For Intervenor : Mr.C.Jeganathan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.26 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 294(b), 406 and 420 IPC, in Crime No.26 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused received a sum of Rs.6,00,000/- from the de-facto complainant by giving false promise to get a job in the Madurai Kamarajar University and thereafter, they failed to secure the job and refused to return the said amount. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case.

4.The learned counsel for the intervenor would submit that the petitioners after taking so much of time to deposit the amount, lastly withdrawn their earlier application in Crl.O.P.(MD)No.17535 of 2021, on 01.03.2022. He would further submit that thereafter, suppressing the dismissal order, the petitioners have filed the similar application before the learned Principal District and Sessions Judge, Madurai in Cr.M.P.(MD)No.1186 of 2022, that the de-facto complainant has raised objections regarding the suppression of the earlier dismissal order, that petition was also dismissed by the District Court on 08.03.2022 and that thereafter, the present application came to be filed.

5.Admittedly, the first petitioner is the wife and the second petitioner is the son of the deceased/first accused.

6.According to the prosecution, the de-facto complainant has paid Rs.6,00,000/-, in which, Rs.5,00,000/- was paid through the bank and Rs.1,00,000/- was paid to the first accused in the presence of the petitioners.

7.The learned Government Advocate (Crl. side) would submit that it is a clear case of job racketing.

8.Considering the seriousness and gravity of the offence alleged and also the quantum of amount involved in the offence and that the investigation is pending as stated by the learned Government Advocate (Crl. side), this Court is not inclined to grant anticipatory bail to the petitioner.

9.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

sd/-

25/04/2022

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/ /2022

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

SJI

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 INSPECTOR OF POLICE
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6507 of 2022

Date :25/04/2022

PKP/PN/SAR-4/10.05.2022/3P/3C