



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

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PRESENT

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9246 of 2022

Nachimuthu

... Petitioner/Accused No.1

Vs

State rep.by

The Inspector of Police,
District Crime Branch Police Station,
Dindigul District.
(Crime No.12 of 2022)

... Respondent/Complainant

For Petitioner : Mr.A.Sheik Nasurdeen, Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.12 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 468, 471, 420, 506(i) IPC, in Crime No.12 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The defacto complainant and the petitioner are relatives. The petitioner is working as a Driver in the Tamil Nadu State Transport Corporation. The case of the prosecution is that the defacto complainant approached the petitioner for getting a Government Job for his daughter and daughter-in-law, for which, the petitioner demanded Rs.12,00,000/-each. The petitioner also introduced one Albert/A2, who is residing at Chennai, to the defacto complainant and assured him for getting Government job. On believing the same, the defacto complainant gave a sum of Rs.10,00,000/- as an advance. After that, the petitioner gave two



fake appointment orders in respect of TNEB and Railway Departments and received the remaining amount of Rs.14,00,000/-. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submits that at the verge of retirement, the petitioner has been falsely implicated in this case. The petitioner is also ready to abide by any condition imposed by this Court and to co-operate for investigation. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the petitioner along with A2 committed job racketing and swindled a huge amount of Rs.24,00,000/- from the defacto complainant. He further submits that A2 was arrested and the investigation is almost completed.

5. Considering the facts and circumstances of the case and also considering the fact that since the petitioner is still working in TNSTC, there is no possibility of tampering with the evidence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] **the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.12 of 2022 before the learned Judicial Magistrate, Dindigul, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to his rights and contentions before the trial Court;**

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of three months and as and when required for interrogation.

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation

<https://hcservices.ecourts.gov.in/hcservices/>

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action



against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

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Sd/-
18/05/2022

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

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TO

1. THE JUDICIAL MAGISTRATE,
DINDIGUL.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
 3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
DINDIGUL DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.J.LAWRANCE Advocate SR.No.4809

ORDER
IN
CRL OP(MD) No.9246 of 2022
Date :18/05/2022

SP/PN/SAR I/23/05/2022/3P/6C