



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 25/05/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) . No.9632 of 2022

B.Rajkumar

...Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Madurai District.

... Respondent/Complainant

For Petitioner : M/s.Karthik Kanna.N,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

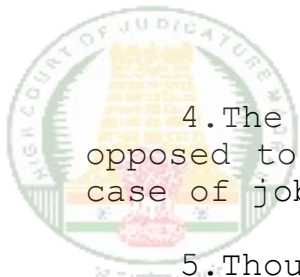
For Anticipatory Bail in Crime No. 172/2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 of IPC in Crime No.172 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner cheated the de-facto complainant by giving false promise to secure Government job and received a sum of Rs.3,25,000/-. Thereafter, the petitioner has neither secured the job nor repaid the amount. Hence, the de-facto complainant lodged a complaint and based on the said complaint, a case was registered against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would also submit that the petitioner is only the close relative of a Government servant. If a case is registered against him, he would have paid the money and therefore, a false case has been foisted against him.



4.The learned Government Advocate (Crl. side) has strongly opposed to grant anticipatory bail to the petitioner since it is a case of job racketing.

5.Though the alleged transaction is made before 10 years, no complaint has been registered. Hence, the de-facto complainant filed a writ petition before this Court and this Court directed the respondent police to consider his representation and also made enquiry. Based on the direction of this Court, the respondent police made enquiry and found that there was a *prima facie* case and therefore, registered the present case against the petitioner.

6.Therefore, under these circumstances, if the petitioner is enlarged on anticipatory bail, there is a possibility of tampering the witnesses and hampering the investigation that he has managed the respondent police for the past 10 years and hence, if he is released on anticipatory bail, certainly, he would protract the investigation by using influence, this Court is not inclined to grant anticipatory bail to him.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

25/05/2022

/ TRUE COPY /

/ /2022

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

SJI/LM

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
NAGAMALAI PUDHUKOTTAI POLICE STATION,
MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9632 of 2022

Date :25/05/2022

SA/PN/SAR:IV/26.05.2022 : 2P/3C

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