



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

Dated: 12/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

Crl.OP(MD)No.12530 of 2021

WEB COPY

1.Shanmugam
2.Shakthi

: Petitioners/Accused No.3 & 4

Vs.

State rep. By
The Inspector of Police,
Srirangam Police Station,
Trichy City.
(Crime No.685 of 2021)

: Respondent/Complainant

For Petitioner : Mr.K.Sivabalan, Advocate
For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

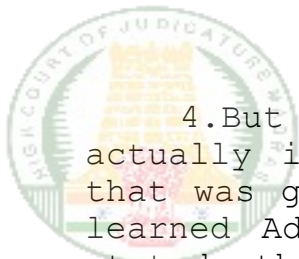
PRAYER :- For Anticipatory Bail in Crime No.685 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A3 and A4 apprehending arrest at the hands of the respondent police for the alleged offences under sections 120(B), 417, 420 and 506(i) IPC, in Crime No.685 of 2021, seek anticipatory bail.

2.The case of the prosecution is that promising to secure a government job, A1 who is the Personal Assistant to the Ex-Minister received Rs.6.50 lakhs and received Rs.1 lakhs as advance. A2 and A3 gave assurance that A1 will arrange the government job. So on that score, on 02/05/2018, the de-facto complainant paid to A1 in the presence of other accused. Later they produced forged appointment order and demanded remaining amount also on 05/09/2018. In 2018, they issued two cheques and those cheques were dishonoured. When the amount was demanded back they were criminally intimidated.

3.Seeking anticipatory bail, this petition came to be filed by A2 and A3, at the time of hearing, interim protection was also granted to the petitioners, now they are enjoying the same. This petition is filed on the ground that they are not involved in the above said offence.



4. But reading of the FIR shows that the petitioners also actually involved in the above said offence. The fake order copy that was given to the de-facto complainant is also produced by the learned Additional Public Prosecutor, wherein we find that it is stated that the de-facto complainant was selected as Office Assistant in CSIR-Central Leather Research Institute, Adyar, Chennai and he was directed to appear before the Officer on 07/09/2018. This was found to be fake, a specific allegation in the FIR to the effect that on 07/09/2018 he appeared before the concerned officer and during that time, these two persons were also present and the remaining amount was paid to the A1 Ganesan at about 4.00 pm in the presence of the other accused persons. A1/Ganesan had handed over the above said appointment order and the remaining amount was paid only on that score, he went to office on 07/09/2018 and the petitioners asked the de-facto complainant to come on some other date, since the officer is not available. After that, he was taken to the village by giving some improper reasons. After waiting only he came to know that he was cheated.

5. Reading of the FIR shows that since the accused persons committed forgery, granting anticipatory bail for the offence of such nature, will amount to tampering of investigation process and there is also likelihood of hampering the evidence also. So the petitioners are not entitled to the discretionary relief of anticipatory bail and accordingly, this petition is liable to be dismissed.

6. In fine, this petition is **dismissed**.

sd/-

12/01/2022

/ TRUE COPY /

/ /2022

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

TO

- 1 THE INSPECTOR OF POLICE
SRIRANGAM POLICE STATION,
TRICHY CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.12530 of 2021

Date :12/01/2022