



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14137 of 2021

Sagunthala,

... Petitioner/Accused No.4

Vs

The State Rep. by,
The Inspector of Police,
District Crime Branch,
Thoothukudi.
(Crime No.25/2021).

... Respondent/Complainant

For Petitioner : Mr.C.T.Perumal, 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.25 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120 (B), 406, 420, 294(b), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.25 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons by way of conducting online Facebook employment agency and cheated the defacto complainant and others by collecting Rs.200/- + Rs.8,000/- under the guise of providing appointments in the Government approved institutions and swindled the money. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and not committed any offence as alleged by the prosecution. The petitioner is also the victim in this case and cheated by the prime accused. Without verifying the genuineness of the advertisement given by the accused persons, this petitioner



has introduced persons to the alleged agency. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that co-accused was arrested and released on bail and this petitioner is arrayed as fourth accused in this case.

5.Reading of FIR shows that the accused persons had conducted employment agency in Facebook, they promised to get job in the Government approved institutions and approached the *defacto* complainant. They asked him to admit 10 persons in their agency, so that there will be chance for promotion. Believing the above said words, the *defacto* complainant also promised the *defacto* complainant to procure employment and on that basis he introduced two persons in the above said agency. But, the accused persons failed to secure job, as promised. Hence, this case was registered.

6.Considering the facts that the petitioner has played limited role in the above said crime, that the co-accused, ie., A1 and A2, who are the prime accused in this case, are absconding, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.IV, Thoothukudi and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 am for a period of 30 days and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
04/01/2022

/ TRUE COPY /

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

PNM

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



TO

1 THE JUDICIAL MAGISTRATE NO.IV,
THOOTHUKUDI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI.

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

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-52[I] dated 05/01/2022)

ORDER
IN
CRL OP(MD) No.14137 of 2021
Date :04/01/2022

PKP/VR/SAR-3/07.01.2022/3P/6C