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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.14907 of 2022

P.Ayyappan

... Petitioner/ Sole Accused

Vs

State rep.by
The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.458 of 2020).

... Respondent/Complainant

1. M.Rajendran
2. R.Jeya Shree

... Petitioners/Intervener
(in Crl.M.P.(MD)No.9922/2022)

For Petitioner : M/s.Gunasekaran.P, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

For Intervenor : Mr.D.Senthil, Advocate

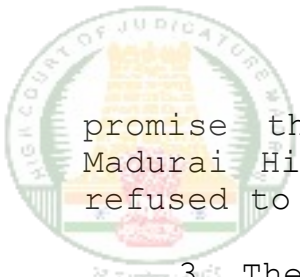
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.458 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 02.08.2022, for the offences punishable under Sections 420, 406, 294(b) and 506(i) of IPC, in Crime No.458 of 2020, seeks bail.



promise that he would arrange employment to his Son-in-law in Madurai High Court. Thereafter, he failed to get a job and also refused to return the said amount. Hence, the present complaint.

3. The learned counsel for the petitioner would submit that the petitioner is working as a Headmaster in Government School, Ramanathapuram District. The petitioner's bank account was used by one Nathan and the amount deposited in his account was immediately handed over to the said Nathan. He would further submit that the petitioner earlier moved an anticipatory bail petition before this Court in CrI.O.P(MD) No.164 of 2020 and the same was allowed on 26.12.2020 on condition that the petitioner should deposit a sum of Rs.3,00,000/- before the concerned learned Judicial Magistrate. Due to some financial crisis, the petitioner has failed to obey the above said condition and the petitioner was arrested and remanded to judicial custody. He would further submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution and he is in judicial custody from 02.08.2022. Hence, he may be granted bail.

4. The learned Government Advocate(CrI.Side) would submit that the petitioner received a sum of Rs.2,00,000/- from the defacto complainant for getting job to his son-in-law and he did not get a job and also repay the above said amount to him. He would further submit that the petitioner has not complied with the condition imposed by this Court in CrI.O.P(MD) No.7164 of 2020, dated 26.12.2020. He would further submit that the petitioner has also cheated two more persons namely Jeyashree and Jeganathan and investigation is not yet completed. Hence, he strongly opposed for grant of bail to the petitioner.

5. The learned counsel for the intervener concedes the submission made by the learned Additional Public Prosecutor appearing for the respondent police and vehemently opposed for grant of bail to the petitioners.

6. Considering the seriousness and gravity of the offence and also considering the amount involved in this case and the conduct of the petitioner to disobey the earlier order of this Court, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
26/09/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
2. THE OFFICER INCHARGE,
SUB-JAIL,
RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.14907 of 2022
Date :26/09/2022

SP/GB/SAR II/19/10/2022/3P/4C