



WEB COPY

CRL OP(MD) No.17110 of 2021

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

RESERVED ON : 18/03/2022

PRONOUNCED ON : 29/03/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.17110 of 2021

C.Kaliyappan

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Central Crime Branch,
Trichy City,
Tiruchirapalli.
Cr.No.1 of 2019.

... Respondent/Complainant

N.Shanmugasundaram

... Intervening Petitioner/
Defacto Complainant

For Petitioner : M/s.Mahalakshmi.S,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

For Intervenor : Mr.V.Elangovan
Advocate

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

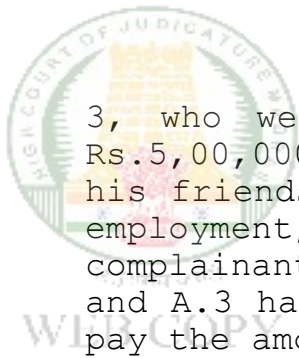
PRAYER :-

For Anticipatory bail in Crime.No.1 of 2019 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
420, 465, 468, 470, 474, 419 and 120B I.P.C., in Cr.No.1 of 2019,
seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is a Head
Master in a Government Primary School, that the defacto
complainant's wife had undergone studies in a Teacher Training
School and she informed the petitioner that her husband had written
an examination, that the petitioner introduced the accused 2 and



3, who were working in TNPSC and the accused 2 and 3 demanded Rs.5,00,000/- for getting appointment, that the defacto complainant, his friends and relatives had paid money to A.2 and A.3 for getting employment, that since they did not get any appointment, the defacto complainant contacted A.2 and A.3 repeatedly, and that though A.2 and A.3 had accepted their liability of Rs.1.25crores, they did not pay the amounts. Hence, the present complaint.

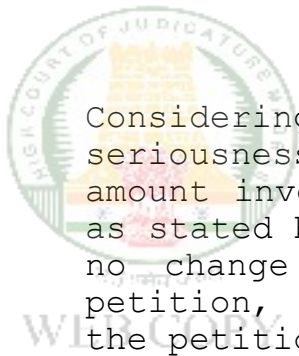
3.The case of the petitioner is that he did not commit any offence as alleged by the prosecution, that the petitioner has only introduced the accused 2 and 3 to the defacto complainant and his wife, that the defacto complainant alone has introduced the other victims to the accused 2 and 3 and the victims paid the entire amount directly to the accused 2 and 3, that the petitioner is innocent and that he has been falsely implicated in the above case.

4.The learned Counsel for the petitioner would submit that the petitioner and the defacto complainant entered into a compromise and the petitioner settled his liability amount to the defacto complainant, that the defacto complainant has also sent a letter to the Regional Director Officer regarding the compromise and that since there is change of circumstances, the petitioner is entitled to be enlarged on anticipatory bail.

5.The learned Counsel for the intervenor would submit that the petitioner alone introduced the defacto complainant to the other accused, that thereafter many persons contacted the first accused and other accused, that the defacto complainant reliably came to know that the accused 1 to 5 had demanded Rs.5,53,00,000/- from 91 persons for securing job and received Rs.1,45,70,000/- from 89 persons, that the petitioner's earlier five applications for anticipatory bail were dismissed by this Court, that the settlement alleged by the petitioner is not correct and that there is no change of circumstances, since the dismissal of the last petition.

6.In pursuance of the direction of this Court, the respondent police has filed a status report wherein it has been stated that the accused had cheated to the tune of Rs.1.25Crores under job racketing from 98 persons, that the petitioner/first accused has involved as a key element who decided the amount to be paid, to whom, at which place and what time were all under the directions of the first accused, that the first accused was directly connected with the alleged transactions, that he alone acted as master mind and other accused were playing their allotted role, which was decided by the petitioner/first accused, in furtherance of the designs in the crime and that the petitioner/A.1, who is the main accused intentionally colluded and cheated with other accused.

7.It is pertinent to note that the petitioner's six applications for anticipatory bail were already ordered to be considered by this Court from 2019 and lastly on 05.10.2020.



Considering the above facts and circumstances and also the seriousness and gravity of the offences alleged and the quantum of amount involved and also the fact that the investigation is pending as stated by the learned Government Advocate (Crl.Side) and there is no change of circumstances since the dismissal of the earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.

8.In the result, the Criminal Original Petition is dismissed.

sd/-

29/03/2022

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

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,
Central Crime Branch,
Trichy City,
Tiruchirapalli.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate (SR-2725[I] dated 30/03/2022)

ORDER

IN

CRL OP(MD) No.17110 of 2021

Date :29/03/2022

RS/PN/SAR.2 (01.04.2022) 3P-4C