



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

Date : 15/11/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.16900 of 2021

1. Veeramalai
2. Subramani

... Petitioners/Accused  
Rank Not Known

Vs

1. The State Rep. By,  
The Inspector of Police,  
Thuvakkudi Police Station,  
Thuvakkudi, Trichy, Trichy District.  
Cr.No.527/2021.  
(Amended vide order dated 09.12.2021  
in the above petition)

... Respondent/Complainant

2. Margaret Jenifer

... Petitioner/Proposed 2<sup>nd</sup>  
Respondent/Defacto Complainant  
in CrI.MP(MD) No.7897/2022 in  
CrI.OP(MD) No.16900/2021

For Petitioner : M/s. Sakthivel.R.,  
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,  
Government Advocate (CrI.Side)

For Intervenor : Mr.S.Vanchinathan, Advocate

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

PRAYER :-

For Anticipatory bail in Crime.No.527/2021 on the file of the  
Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 408 and  
420 IPC, in Crime No.527 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had  
promised to secure a job for the de-facto complainant and received  
Rs.4,00,000/- from her and later, they cheated her. When the same  
was questioned by the de-facto complainant, the petitioners  
threatened her with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that it is a case of job racketing and totally three accused in this case and the petitioners are arrayed as A2 and A3 and A1 was already arrested and released on bail. He would further submit that A1 along with these petitioners have received a sum of Rs.4,00,000/- from the de-facto complainant by giving false promise to secure job. He would further submit that four witnesses have been examined and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail.

5.The learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioners.

6.Considering the facts and circumstances of the case and also considering the fact that A1 was already released on bail and four witnesses have been examined sofar, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners shall pay a sum of Rs.1,00,000/- (Rupees One Lakh only) each to the credit of Crime No.527 of 2021 before the learned Judicial Magistrate No.6, Trichy, without prejudice to their rights and contentions before the trial Court.

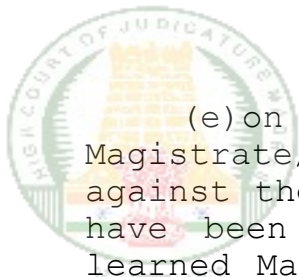
8.On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.6, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am until further orders.

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;



(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

15/11/2022

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/11/2022

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

TO

1. THE JUDICIAL MAGISTRATE NO.6,  
TRICHY.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,  
THUVAKKUDI POLICE STATION, THUVAKKUDI,  
TRICHY, TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SAKTHIVEL, Advocate ( SR-13086[I] dated 16/11/2022 )

+1 CC to M/s.S.VANCHINATHAN, Advocate (SR-13060[I] dated 16/11/2022 )

ORDER

IN

CRL OP(MD) No.16900 of 2021

Date :15/11/2022

SJI

USK/BUC/SAR- /25.11.2022/3P/7C