



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.17879 of 2021

1. Shanthi
2. Moorthy @ Sevugamoorthy ... Petitioners/Accused No.1 & 2

Vs

State rep.by
The Inspector of Police,
D-3 Koodalpudur Police Station,
Madurai District.
(Crime No.603/2021). ... Respondent/Complainant

For Petitioners : M/s.Janakiramulu V, Advocate.

For Respondent : M/s.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

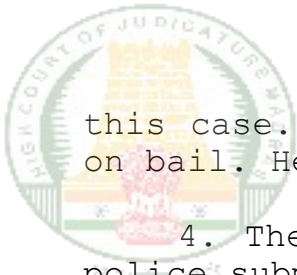
For Anticipatory bail in Crime No.603 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 & 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420 and 506(i) of IPC, in Crime No.603 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that it is a case of job racketing. The petitioner along with the other accused, received a sum of Rs.8 lakhs from the defacto complainant by promising to secure a government job at Air-India. But, later, he neither secured the job nor repaid the amount. Hence, this complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in



this case. He would further submit that co-accused already released on bail. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor for the respondent police submitted that the third accused was arrested and released on bail. But, recovery of money has not been made so far. The total amount cheated by the accused is Rs.8 lakhs.

5. The learned counsel for the petitioners would submit that the matter was referred to mediation on earlier occasion. But, the defacto complainant did not appear before the Mediation Centre. Because of that only, compromise could not be reached. But, however, it is a simple business transaction between the parties and to show their bonafideness, they are ready to deposit 1/3 amount of cheating.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready to pay the partial amount of cheating, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs only)** to the credit of **Crime No.603 of 2021** before the trial Court concerned, 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, before the learned Judicial Magistrate No.IV, Madurai, 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 the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
05/01/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.I)
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 JUDICIAL MAGISTRATE NO.IV,
MADURAI.
2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
D-3 KOODALPUDUR POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.JANAKIVAMULU V Advocate SR.No.123

ORDER
IN
CRL OP(MD) No.17879 of 2021
Date :05/01/2022

SP/PN/SAR I/21/01/2022/3P/6C