



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 10/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.18566 of 2021

1.Puspamary

2.Bastin Jesuraj

... Petitioners/Accused No.1 and 2

Vs.

State rep.by

The Inspector of Police,

District Crime Branch,

Theni.

(Crime No.14 of 2021)

... Respondent/Complainant

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

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

For Intervenor : M/s.P.Senguttuarasan, Advocate

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

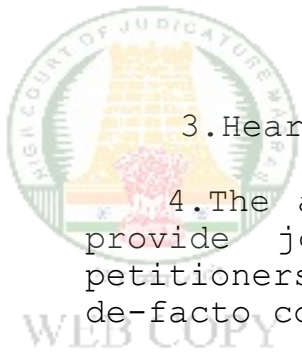
PRAYER :-

For Anticipatory Bail in Crime No.14 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A1 and A2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 420, 506(i) and 120(B) IPC, in Crime No.14 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The petitioners are facing the charges for the offences under sections 294(b), 420, 506(i) and 120(B) IPC.



3.Heard both sides.

4.The allegation against the petitioners is that promising the provide job in the college proposed to be started by the petitioners, they collected money from various persons including the de-facto complainant and cheated Rs.1.24 Crores.

5.The ground on which, this petition came to be filed is that the first petitioner is working as a teacher in Madurai Teppakulam area. Because of the ailment, she had borrowed money from several persons to meet out the medical expenses and so also, she borrowed money from various persons for interest. Only on the basis of the promise made by one Rita Jeyarani to pay higher interest, the 1st petitioner borrowed money from many persons and handed over the same to the above said Rita Jeyarani. But later, she defaulted and one among money lenders is the de-facto complainant. Except the above said money transaction, according to the petitioners, they did not cheat the money by promising providing job in the college. Whether such sort of contention is true or not, can be the matter for investigation. It is further submitted that Crl.OP(MD)No.17536 of 2021 was filed by the first petitioner before this court seeking a direction to the respondent not to harass her. But in-spice of that, now the case has bee registered.

6.The learned counsel appearing for the intervener/de-facto complainant would submit that they handed over the money to the petitioners only on the basis of the false promise, that was made by them to provide job in the college. Only believing the words money was paid. So considering the money, that was involved in this issue, clarification was sought for from the petitioners, whether the petitioners are ready to settle the issue. But they expressed their inability stating that the 1st petitioner is actually working as a teacher and a false complaint has been given against the petitioners. So they could not settle.

7.Perusal of the CD file shows that money has been collected by the petitioners from various persons. Some innocent persons have also been affected. So considering the magnitude of the offence, the petitioners are not entitled for anticipatory bail, even though health ground is mentioned in the petition and this is not a fittest case to grant anticipatory bail to the petitioners.

8.In the result, this criminal original petition is **dismissed**.

Sd/-

10/02/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.IV)
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,
DISTRICT CRIME BRANCH,
THENI.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.18566 of 2021
Date :10/02/2022

SP/JM/SAR IV/15/02/2022/3P/3C