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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17814 of 2022

J.Viyagappan

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Pavoorchathiram Police Station,
Tenkasi District.
Crime No. 428/2021.

... Respondent/Complainant

For Petitioner : Mr.N.Marimuthu,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.428 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 20.09.2022 for the offences punishable under Sections 406, 420, 468 and 471 of IPC, in Crime No.428 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that it is a case of job racketing. The petitioner along with other accused said to have received a sum of Rs.1,53,70,000/- from the defacto complainant and 20 various person by assuring that they would arrange government job in various departments. Thereafter, failed to secure the job and repay the amount. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is working as Teacher in a Government Aided School. The father of the defacto complainant approached the petitioner for helping to get government job for his son. Hence, the petitioner introduced A3 through one Vairmuthu, who is the colleague of the petitioner. The defacto complainant and other candidates themselves agreed to pay the amount to A3. The petitioner does not have any role in the said money transaction between A3 and the defacto complainant. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that totally there are 3 accused. The petitioner was arrayed as A1. It is a case of job racketing. More than one and a half crore has been involved in this case. The accused No.2 & 3 are yet to be secured. The investigation is in initial stage.

5.Considering the facts and circumstances of the case and also considering the fact that the investigation is in initial stage, the co-accused are yet to be secured and huge amount was involved in this case, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

06/10/2022

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/10/2022

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

DSS/MGA

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 SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.



2. THE INSPECTOR OF POLICE,
PAVOORCHATHIRAM POLICE STATION,
TENKASI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.17814 of 2022

Date :06/10/2022

RK/SVR/SAR-2 (11/10/2022) 3P/4C