



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 19/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.18554 of 2022

J.Viyagappan ... Petitioner/Accused No.1

Vs

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

... Respondent/Complainant

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

For Respondent : Mr.E.Antony Sahaya Prabahar,  
Additional Public Prosecutor

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

PRAYER :-

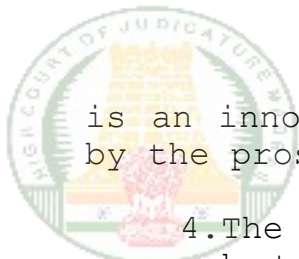
For Bail in Crime No.428/2021 on the file of the Respondent police.

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 the petitioner along with other accused 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 this is the petitioner's second bail application and the earlier application was dismissed by this Court in Crl.O.P(MD) No.17814 of 2022 on 06.10.2022. He would further submit that the petitioner



is an innocent person and he did not commit any offence as charged by the prosecution. Hence, he may be granted anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that it is a case of job racketing and more than one and a half crore has been involved in this case and A2 and A3 are yet to be secured. He would further submit that this is the second bail application and the first bail application was dismissed by this Court on 06.10.2022 and till now, there is no change in circumstances and investigation is not yet completed and custodial interrogation of the petitioner is required in this case. Hence, he strongly opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that there is no change in facts and circumstance of the case and the investigation is not yet completed and 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/-

19/10/2022

/ TRUE COPY /

/11/2022

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

SJI

TO

1. THE INSPECTOR OF POLICE,  
PAVOORCHATHIRAM POLICE STATION,  
TENKASI DISTRICT.
2. THE SUPERINTENDENT,  
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.18554 of 2022

Date :19/10/2022

RD/SSS/SAR-II (02/11/2022) 2P 4C

<https://www.mhc.tn.gov.in/judis>