



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 02/02/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.20080 of 2021

G.Manoharan

...Petitioner/Accused Rank Not known

Vs.

The State Rep. by,
The Inspector of Police,
District Crime Branch Police Station,
Karur District.

(In Crime No.14 of 2021) ... Respondent/Complainant

For Petitioner : Mr.R.S.Sivaraman, Advocate

For Respondent : Mr.SS.Madhavan
Government Advocate (Crl. Side)

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.

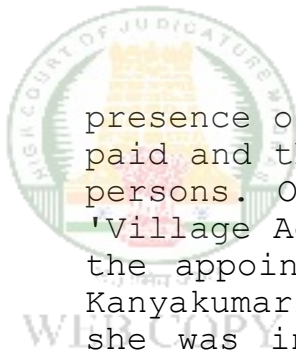
ORDER : The Court made the following order :-

The petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the offence punishable under sections 120-B, 406, 420, 465 and 468 IPC, in Crime No.14 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons by giving fake Government Job Order by getting Rs.14,00,000/- cheated the de-facto complainant.

3.Heard both sides.

4.Reading of the FIR shows that all the accused persons promised the de-facto complainant to secure job and towards the same, they received Rs.14,00,000/- saying that the amount must be paid to the then concerned Minister and during the year 2018, in the



presence of Sethil and his wife namely Sangeetha, Rs.14,00,000/- was paid and the above said amount was received by all the three accused persons. On 30/11/2018, she was informed that she was appointed as 'Village Administrative Officer' in Kanyakumari and also handed over the appointment order. So, she took the appointment order in the Kanyakumari Collectorate Office and made enquiry and at that time, she was informed that it is a fake appointment order. So on the basis of the above said complaint, the case has been registered. Now the petitioner is facing the charges under sections 120(b), 406, 420, 465, 468 IPC.

5.The entire CD file is also perused. The case of the petitioner is that the complaint has been made only against A1 and his daughter and wife and this petitioner's name is no way mentioned in the complaint or in the FIR.

6.Perusal of the CD file shows that A1 namely Thangavel has given a statement that his brother and his daughter namely Sangeetha, handed over the Rs.70,00,000/- to him for securing government job for various persons and that amount was paid to various persons, but as promised, he could not get the job. He has also given an undertaking that within three months, the entire amount will be returned.

7.It is also seen that similarly like persons have been cheated and the complainant and statement given by those persons were also been recorded. So prima facie, it is seen that several persons have been cheated by the accused persons. Now the overt act that has been alleged against this petitioner is that A1-Thangavel and A2-Sharmila were arrested and all the fake appointment orders have been prepared only with the help of this petitioner. The statement of A1-Thangavel is that the above said amount namely Rs.70,00,000/-, which was collected by A1 was handed over to this petitioner. This petitioner only sent the fake appointment order through his mobile phone to him. So the statement of the above said A1-Thangavel shows that this petitioner is actively involved in the above said affairs.

8.Since the Government orders have been forged, the custodial interrogation of the petitioner is required to bring out the truth. Since serious allegations of cheating, this petitioner involvement is also prima facie available on record, the discretionary relief of anticipatory bail to the petitioner cannot be granted.

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

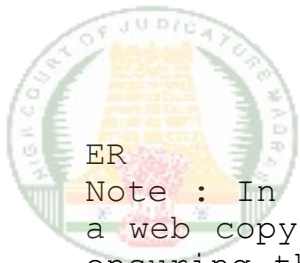
sd/-

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



Madurai - 625 023.

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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 POLICE STATION,
KARUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.R.S.SIVARAM, Advocate SR.No.792(I)

ORDER
IN
CRL OP(MD) No.20080 of 2021
Date :02/02/2022

PKP/SBN/SAR-3/09.02.2022/3P/4C