



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.18661 of 2022

Vijayanallathambi

... Petitioner/Sole Accused

Vs

The State Rep.by
The Sub Inspector of Police,
District Crime Branch, Virudhunagar,
Virudhunagar District.
(Crime No.23/2022).

... Respondent/Complainant

T.Krishnaveni

... Petitioner / Intervenor /
Defacto Complainant
IN CRL MP(MD)No.13679 of 2022

For Petitioner : M/s.Herold Singhs.C.,
Advocate.

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

For Intervenor : Mr.D.Shanmugaraja Sethupathi,
Advocate.

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

PRAYER :-For Anticipatory Bail in Cr No.23/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(I) of IPC, in Cr.No.23 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that petitioner is Vembakottai West Union Secretary in AIADMK party. The defacto complainant's husband is a driver. During the year 2020, he was engaged by the petitioner as acting driver to his Car. In such circumstance, the petitioner approached the defacto complainant's husband stating that he will arrange the job of Noon-Meal Organizer in Schools. For that



purpose, he collected a sum of Rs.3,50,500/- from the complainant's husband. Thereafter, he neither secured the amount nor repaid the amount. When the amount was demanded by the complainant's husband, the petitioner said to have abused the defacto complainant's husband in filthy language and threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that false case has been foisted against the petitioner and the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the entire amount was settled and the matter has been settled between the parties. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned counsel for the Intervenor would submit that petitioner had cheated the number of persons in the guise of getting employment in the Government Department by abusing his position in the then Ruling Party. The accused had collected nearly, two crores and thirty eight lakhs from various persons. He also committed the offence of fabrication of document. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that totally there are 11 victims. Total amount involved in this Case is Two crore and Thirty Eight Lakh. The petitioner is having 9 previous cases similar in nature and the investigation is not yet completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that huge amount is involved in this case and the petitioner is having bad antecedent, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

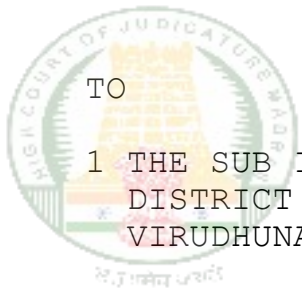
6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/11/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.)
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 SUB INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.D.SHAMUGARAJA SETHUPATHI, Advocate (SR-13889[I] dated
29/11/2022)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-14038[I] dated
30/11/2022)

ORDER

IN

CRL OP(MD) No.18661 of 2022

Date :28/11/2022

DSS

MK/SSS/SAR III/08.12.2022/3P/5C