



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20985 of 2021

WEB COPY

1. Velumani
2. Tamilselvi

... Petitioners/Accused No.1 & 2

Vs

State Rep.by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
Cr.No.999 of 2021.

... Respondent/Complainant

For Petitioners : Mr.V.Karuna, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.999 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 420 and 506(1) IPC in Crime No.999 of 2021 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that he is a disabled person and one Nallamuthu, who was working as Village Administrative Officer, later retired, approached him for a Government job and at that time, the aforesaid Nallamuthu told him that he can arrange the aforesaid job. So, on that ground, through Nallamuthu the 1st petitioner received a sum of Rs.6,50,000/- in the presence of the 2nd petitioner, who is the wife of the defacto complainant. A sum of Rs.5,00,000/- was paid in cash and a sum of Rs.1,50,000/- was transferred to the account of the 2nd petitioner. Even after the test was over, he did not receive any appointment order. When that was enquired, he was criminally intimidated. On the basis of the aforesaid occurrence, the case has been registered against the petitioners.

3.Perusal of CD file shows that so far no request has been made to find out whether the money was transferred to the account of the 2nd petitioner as stated in the complaint. Now, the aforesaid



Nallamuthu is no more. Since the allegation has been made with regard to the transfer of the amount to the account of the 2nd petitioner, she has to appear before the respondent police and cooperate with him to complete the process of investigation. Since the matter is pending from 2021, this Court is inclined to grant anticipatory bail to the petitioners.

4. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Kulithalai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. If during the course of enquiry custodial interrogation is required, the respondent police is at liberty to approach the concerned Court for appropriate orders.

5. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

01/09/2022

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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 JUDICIAL MAGISTRATE NO.II, KULITHALAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE, KULITHALAI POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.20985 of 2021
Date : 01/09/2022

MM

RS/SBN/SAR.1 (15.09.2022) 2P-5C

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