



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5481 of 2023

1. Pazhanichami @ Palanichamy,
2. Amirtham @ Ponamirtham,
3. Karthick @ Karthik

... Petitioner/Accused 1 to 3

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Sivagangai District.
Cr.No.9/2021.

... Respondent/Complainant

For Petitioners : M/s.S.M.Anantha Murugan, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.9/2021 on the file of the Respondent police.

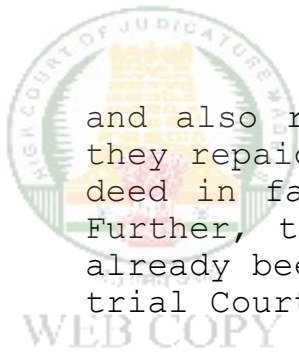
ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 468, 471, 420, 120(b) and 506(i) of I.P.C., in Crime No.9 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused induced the de-facto complainant and others that they would get a permanent job in Tamil Nadu Electricity Board for them and had received an amount of Rs.37,00,000/- and later, cheated them. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is a case of job rocketing. The accused had collected a sum of Rs.37,00,000/- from 12 victims in order to get job in the Tamil Nadu Electricity Board. Thereafter, they failed to get any job



and also refused to return the amount. After registering ², they repaid a sum of Rs.11,00,000/- and also had executed a mortgage deed in favour of the victims in respect of their dwelling house. Further, the investigation has been completed and charge sheet has already been filed and the same has been taken cognizance before the trial Court in C.C.No.84 of 2023 and the case is pending for trial.

5.Taking into consideration of the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Sivagangai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners 1 and 3 shall report before the trial Court in C.C.No.84 of 2023 daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation; and the second petitioner shall report before the trial Court as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

24/03/2023

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/04/2023

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-4912[I] dated
27/03/2023)

ORDER

IN

CRL OP(MD) No.5481 of 2023

Date :24/03/2023

RS/BUC/SAR-3(06.04.2023) 3P 6C