



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/03/2023

PRESENT

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

CRL OP(MD) . No.5769 of 2023

1. T.Chandrasekaran,

2. C.Maragatham,

... Petitioners/Accused

Vs

State Rep.by
The Inspector of Police,
Manapparai Police Station,
Trichirappalli District
(Crime No.115 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Sudhagar Nagaraj.N,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.115 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420, 406 and 506(1) of I.P.C., in Crime No.115 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused received a sum of Rs.6,00,000/- from the de-facto complainant by giving false promise to get a job in the Tamil Nadu State Transport Corporation and thereafter, they failed to secure the job and refused to return the said amount. Hence, the complaint.



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

4. It is a case of job racketing. The petitioners received a sum of Rs.6,00,000/- from the de-facto complainant and thereafter, they failed to get any employment in the Tamil Nadu State Transport Corporation and refused to return the said amount. Now the learned counsel for the petitioners would submit that the petitioners had borrowed money from the de-facto complainant and they never assured any job. However, in order to show their *bona fides*, the petitioners are ready and willing to deposit some reasonable amount as directed by this Court.

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, each of the petitioners shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.115 of 2023 before the learned Judicial Magistrate, Karur, without prejudice to their rights and contentions.

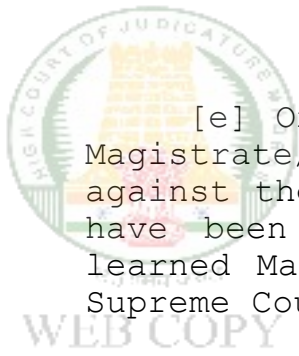
7. On of such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Karur, on condition that the petitioners shall 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 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 petitioners 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 first petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation; and the second petitioner shall report before the respondent police 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/-

29/03/2023

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/04/2023

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE,
KARUR.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANAPPARAI POLICE STATION,
TRICHIRAPPALLI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SUDHAGAR NAGARAJ.N Advocate SR.No.18469(F)

ORDER

IN

CRL OP(MD) No.5769 of 2023

Date :29/03/2023

PKP/MMS/SAR-4/18.04.2023/ **3P/6C**