



CRL OP(MD)No.12887 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD)No.12887 of 2023

Chitralkha

... Petitioner / Accused No.2

Vs

State represented by
The Sub Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
(In Crime No.273 of 2023)

... Respondent/Complainant

For Petitioner : M/s.P.Sivachandran, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.273 of 2023 on the file of the respondent police.



CRL OP(MD)No.12887 of 2023

ORDER : The Court made the following order :-

The petitioner / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420 of IPC in Crime No.273 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that one Sumangali Priya who is the first accused made a paper publication inviting the abroad job aspirants for the purpose of arrangement of abroad jobs. On the basis of the said advertisement, the defacto complainant, believing the words of the said Sumangali Priya transferred money to her account on various dates. Totally Rs.1,40,000/- was transferred. Later, she defaulted. The defacto complainant approached the said Sumangali Priya as well as this petitioner but they did not respond properly.

3. The learned counsel for the petitioner submitted that except the said bald statement that the petitioner approached this petitioner for the purpose of the further steps, no allegation has been made with regard to the transfer of money. Apart from that he has also submitted that the petitioner was appointed as office administrator



CRL OP(MD)No.12887 of 2023

by one of the directors of the said company by the offer letter dated 05.04.2017.

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Though, except working as office administrator, the petitioner is not involved in the official transactions.

4. Per contra, the learned Additional Public Prosecutor would submit that the defacto complainant made a statement to the effect that after receiving the money, this petitioner also shared the amount.

5. It is the fact that the amount has been transferred to the account of the first accused and only a bald allegation has been made against this petitioner that the petitioner has shared the amount. Considering the facts and circumstances of this case, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Bodinayakannur, on condition that the petitioner 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 petitioner shall appear before the respondent police, daily at 10.30 a.m. until



CRL OP(MD)No.12887 of 2023

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further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner shall produce the documents with regard to the appointment and his duties and responsibilities during the course of enquiry and cooperate with the same.

7. The petitioner 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 stands dismissed.

sd/-
21/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1. THE JUDICIAL MAGISTRATE, BODINAYAKANNUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.
3. THE SUB INSPECTOR OF POLICE,
BODINAYAKKANUR TOWN POLICE STATION,
THENI DISTRICT.



CRL OP(MD)No.12887 of 2023

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

+1. CC to M/S.SIVACHANDRAN.P Advocate SR.No.11096

ORDER
IN
CRL OP(MD) No.12887 of 2023
Date :21/07/2023

RK /VR(01/08/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023