



CRL OP(MD). No.12938 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12938 of 2023

K.Marimuthu

... Petitioner / Accused No.3

Vs

The State represented through
The Inspector of Police,
Town West Police Station,
Thanjavur District.
(Crime No.889 of 2023.)

... Respondent/Complainant

For Petitioner : M/s.S.Atham Ali, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.889 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 420, 506(i) IPC and



CRL OP(MD). No.12938 of 2023

Section 35 of AADHAR (Targeted Delivery of Financial and other subsidies, benefits and services) Act, 2016, in Crime No.889 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Santhiya is that she is staying with her parents. Her aunt Pandiselvi/A1 had promised her to get a housemaid job. As per the instructions given by her aunt, without informing anyone in the house, she went to Madurai on 22.06.2023 and met one Marimuthu/A3. He took her to Kerala and introduced one Vennila/A2. A2 took photos of the defacto complainant and gave her one fake Aadhar Card named Mariselvi, D/o.Jeyaraj, W/o.Arun Thangaraj and instructed the defacto complainant to use the fake Aadhar card. She took her to hospital, viz., Alpha Sabeena. In that hospital, she was enquired by the persons in the hospital. On fear and suspicion, the defacto complainant told the correct particulars of her. Therefore, the persons cancelled the process and asked her to go. Since the defacto complainant revealed her correct name and particulars, A2 yelled her and they went to A2's house. Then only the defacto complainant came to know the fact that her Aunt and A2 are selling embryo. Thereafter, on 27.06.2023 A2 asked the defacto complainant to go to Ragavendra Fertility Centre, Thanjavur by train along with one Syma. The defacto complainant came to Thanjavur with the said Syma. In the meantime, as per the



CRL OP(MD). No.12938 of 2023

WEB COPY

complaint given by the defacto complainant's father, the Police has identified the defacto complainant and enquired her. At that time, she had stated about the fake documents created by the accused persons using the Aadhar Card for the purpose of selling embryo and cheated the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that he is innocent and not committed any offence, as alleged by the prosecution. There is no connecting materials to implicate the petitioner in the offence. The petitioner is not having any previous case at his credit. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the accused persons had committed the grave offence, by creating fake documents using Aadhar Card in order to sell embryo. It seems that large scale scam is committed by the accused persons. The investigation is in nascent stage. The custodial interrogation of the petitioner is required to proceed further. Hence, prayed to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Considering the nature of grave offence, large scale of scam committed by the accused persons and the nascent stage of investigation, if the petitioner is release on bail, he may tamper the material witness and hamper the investigation.



CRL OP(MD). No.12938 of 2023

This is not a fit case to enlarge the petitioner on anticipatory bail. Hence, this Court is not inclined to all the petition.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
19/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA/PNM

To

1. The Inspector of Police,
Town West Police Station,
Thanjavur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.12938 of 2023
Date :19/07/2023

ED/DD/SAR- (29/07/2023) 4P / 3C

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