



Crl.O.P.(MD).No.13275 of 2023:

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.07.2023

PRESENT

The Hon`ble Mr.JUSTICE G.ILANGO VAN

CRL OP(MD). Nos.13275, 13274 & 13283 of 2023

Muthukrishnan

... Petitioner/ Accused 2
in Crl.OP(MD).13275/2023

... Petitioner/ Accused 3
in Crl.OP(MD).13274/2023

... Petitioner/ Accused 3
in Crl.OP(MD).13283/2023

Vs

State through
The Inspector of Police,
Srirangam Police Station,
Trichy City,
Trichy District.
(Crime Nos.651, 652 and 668 of 2023)

... Respondent/ Complainant
in all cases

For Petitioner : Mr.C.M.ARUMUGAM
Advocate.(in all cases)

For Respondent : Mr.B.NAMBISELVAN
Additional Public Prosecutor(in all cases)

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime Nos.651, 652 and 668 of 2023 on the file of the
Respondent Police in all cases.

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



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COMMON ORDER : The Court made the following Common order :-

The petitioner herein, who was arrested on 26.04.2023 for the alleged offence under Sections 406, 420, 467, 468 of IPC, in Crime Nos.651, 652 & 668 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution in

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The defacto complainant lodged a complaint stating that a publication was made by one M.S. Consultancy in Newspaper that they are arranging job in Poland for the aspirants. On the basis of the above said publication, he contacted the above said consultancy for the purpose of arranging job in abroad. On that ground, he was supplied with a fake offer order. The above said issue came to his notice only afterwards. At the time of the above said issuing the order they also received their signature in bond paper. A receipt was also issued by the Consultancy Agency. Even after lapse of one year, no job was arranged. When he contacted them and demanded return of money, there is no proper action. On that basis the above said complaint has been given by the defacto complainant, over Crime No.651 of 2023 has been registered. The petitioner was arrested and remanded into judicial custody from 26.04.2023. Seeking bail, this petition has been filed by the petitioner.

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The defacto complainant lodged a complaint stating that he approached the M.S. Consultancy for job and he was informed that he was selected for appointment as Helper. He paid Rs.1.70 Lakh as deposit. He was assured job within three months in Poland. A receipt was also issued by the Agency for the month received. Even after lapse of one year job was not arranged and when the money was demanded, he was informed that several persons have been cheated like this manner. He was arrested and remanded in custody.

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This case has been registered on the basis of the complaint given by the defacto complainant on the very same allegations. On 26.06.2022, he was informed that he is selected for the appointment; asked to deposit Rs.3 lakh. He deposited, Rs.1.75 lakh. At that time he was issued with a receipt by the Agency. Even after lapse of several months, no proper job was arranged and later he came to know that several persons have been cheated by this petitioner like this manner.

3. Seeking bail these petitions have been filed on the ground that he did not hold any post in the above said M.S. Consultancy. He has not received any money from the victims.



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4.Since common issue is involved in all three matters, common order is passed.

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5.Perusal of CD file shows that one M.S. Consultancy Private Limited was running by one Meenakshi, who is the founder of the above said Consultancy. The documents collected during the course of investigation also shows that the above said Meenakshi was running the above said company and money was deposited into her account by various persons on the promise made by the above said Consultancy to arrange job in Poland. Employment offer letters have been created and supplied to the job seekers. The above said fake offer letters have also been seized during the course of investigation. This was the modus operandi of the above said Consultancy. Several people have been cheated by the Company and several lakhs of rupee has also been cheated and several complaints have been registered like this manner. So far this petitioner is concerned the case is to the effect that he is no way involved in the collection of money by the Company. At the time of earlier bail applications, the learned Additional Public Prosecutor submitted before this Court that more than 158 victims, apart from two crore money value.

6.What was the position that was held by this petitioner in the above said company. It has been stated that he is the husband of the first accused namely Meenakshi. One Balakrishnan was working as Manager in the above said Company, who was arrested latter released on bail. So far this petitioner is



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concerned, perusal of records shows that he has been implicated on the ground that he has taken away the passport and other records kept by his wife namely Meenakshi in the above said Consultancy to hide the offence. This petitioner was arrested on 26.04.2023 in Crime No.651 of 2023 and subsequently, he was symbolically arrested in other crime numbers also. With regard to the recovery also no other particulars are available in the CD file. Even after lapse of more than 88 days final report has not been filed.

7.The respondent, who is the investigating officer is present before this Court and stated that so far investigation has not been completed in all the matters.

8.Considering the period of incarceration and considering the fact that only limited overt act is attributed against the petitioner in screening the above said offence, this Court is inclined to grant bail to the petitioner in respect of all the crime numbers with stringent conditions.

9.Accordingly, these Criminal Original Petitions are allowed and the petitioner is ordered to be released on bail in respect of all Crime Nos.651, 652 & 668 of 2023 on the file of the respondent police, on executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two common sureties in respect of all the cases, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Srirengam, Tiruchirappalli District and on further condition that



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the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

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sd/-
24/07/2023

/ TRUE COPY /

25/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO
1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, SRIRENGAM, TIRUCHIRAPPALLI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION,
TRICHY CITY, TRICHY DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+3. CC to MR. C.M.ARUMUGAM, Advocate SR.Nos.11233 TO 11235

ORDER
IN

CRL OP(MD). Nos.13275, 13274 & 13283 of 2023

Date :24/07/2023

PKP/DD/SAR- /25.07.2023/ 6P/9C

Madurai Bench of Madras High Court is issuing certified
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