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Crl.O.P.(MD)Nos.13557, 14297 and 14977 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 22/09/2023

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)Nos.13557, 14297 and 14977 of 2023

(1)Crl.OP(MD)No.13557 of 2023:-

Navas Ahamed : Petitioner/A1

Vs.

The State rep. by
The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.329 of 2023)

: Respondent/Complainant

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervenor : Mr.N.Mohan

(2)Crl.OP(MD)No.14297 of 2023:-

Mani @ Manivannan : Petitioner/A4

Vs.

The State rep. by
The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.329 of 2023)

: Respondent/Complainant

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor



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(3)CrI.OP(MD)No.14977 of 2023:-

1.Senthil @ Senthil Krithick
2.Venkatesh @ Vengadesh : Petitioners/A2 and A3

Vs.

The State:

Rep. by Inspector of Police,
Palani Town Police Station,
Palani,
Dindigul District.

(Crime No.329 of 2023) : Respondent/Complainant

For Petitioners : Mr.D.Rameshkumar

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

COMMON ORDER: The Court made the following order:-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 420, 406, 468, 465 and 120(B) IPC, in Crime No.329 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:-

The de-facto complainant lodged a complaint stating that one Senthil, who is A2 herein is working in the



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Transport Department, Palani. On coming to know that the de-facto complainant's daughter is searching for job, he promised to arrange job for her stating that one Navas Ahamed, Venkatesh and Mani are running an Institution called 'Benchmark Global Education and Carrier', for arranging job in the Government Departments. On 15/02/2019, they demanded Rs.20,00,000/- for arranging appointment order. An advance amount of Rs.2,00,000/- was paid. Later, Rs.1,30,000/- was paid. On 26/06/2019, he received an appointment order. That was taken to Delhi and from there to various places. On 10/07/2019, he gave Rs.16,70,000/- to Senthil and Navas Ahamed. Later, they received an appointment order, on 06/01/2022 with the signature of the Department officials. They came to know that they were cheated and the above said appointment order was fake one. On that account, he lodged a complaint, upon which, a case in Crime No.329 of 2023 has been registered for the offences stated above.

3. Seeking anticipatory bail, A1 to A4 are before this court.

4. When the matter was taken up for hearing, it was referred to the Mediation and Conciliation Centre, attached to this Bench, for exploring the possibility of



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settlement, but no settlement could be arrived between the parties. So, the matter was referred back to the Court.

5.Heard both sides.

6.*Prima facie*, it is seen that it is a large scale cheating involving huge amount with fabrication of Government Appointment Orders. So, this is a grievous nature of the offence.

7.Now let us go to the ground that has been made by the petitioners.

8.So far as Navas Ahamed-A1 is concerned, he has stated that one Pandimeena and Senthil Kumar received money for securing job; This petitioner was not aware of the transactions; Pandimeena has also issued receipt for receiving the amount; To discharge the above said amount, Pandimeena also issued a cheque and it was presented for payment, later dishonoured. So a case in STC No.598 of 2021 was filed before the Judicial Magistrate, Pudukottai and it is stated to be pending.



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9. So far as Senthil @ Senthil Krithick/A2 and Venkatesh @ Vengadesh/A3 are concerned, it has been stated that A1 and A4 have started business in the name of 'Benchmark Global Education and Carrier'. One Pandimeena was introduced to the complainant. Only Pandimeena is involved in the above said transaction. A1 has given a complaint before the Commissioner of Police, Dindigul, which is also pending.

10. So far as Mani @ Manivanan-A4 is concerned, he has stated that except this petitioner running a Company along with the co-accused, he is noway involved in the above said transaction.

11. The Intervenor is also appeared through his Advocate and it was submitted that believing the words of the accused, he paid the money. After prolonging the matter for several months, that too taking the de-facto complainant to various places, only after that, he came to know that it is a clear case of cheating.

12. The entire CD file has been called for and perused.



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13.A1 gave a complaint against Pandimeena stating that she is responsible for the above said issue. Out of the above said total amount, from his transfer account, Rs.2,50,000/- was returned by him. But later failed to appear before the respondent for completing the investigating process.

14.The fake appointment orders are also available in the CD file, which shows that a large scale network is involved. Simply because the cheque was issued by one Pandimeena and over which, a case has been filed by the de-facto complainant, the criminal activities of the petitioners cannot be erased. The offence of such nature requires thorough investigation by subjecting all the accused persons to custodial interrogation.

15.Considering the grievous nature of the allegation, the petitioners are not entitled for any discretionary relief.

16.In the result, all the criminal original petitions are **dismissed**.

Index:Yes/No
Internet:Yes/No
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To,

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- 1.The Inspector of Police,
Palani Town Police Station,
Palani.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G. ILANGO VAN, J

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