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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 24/08/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.13647 of 2023

Sornakumar

: Petitioners/ A3

Vs.

1 State rep. by its
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.13 of 2022)

: Respondent/ Complainant

2 P. Bharathi
3 S. Gobinathan
4 V.Suseentharan

...Petitioners/Interveners
in Crl.M.P. NO 11305 of 2023

For Petitioner : Mr.S.Ramasamy, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervenor : Mr.T.Veerakumar, Advocate

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



PRAYER:- For Anticipatory Bail in Crime No.13 of 2022 on the file of the Respondent Police.

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ORDER: The Court made the following order:-

The petitioner, who is arrayed as A3 apprehends arrest at the hands of the respondent police for the offences punishable under sections 406 and 420 IPC, in Crime No.13 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant version, is that one Prabhu became known to him through his relative and he promised to secure job in TNEB. He demanded Rs.4,00,000/-. He paid Rs.15,000/- as advance. After that, he has also paid several amount on various dates. The entire amount was paid as on 22/09/2019. He was taken by A1-Prabhakaran and one Sornakumar to Chennai. They introduced Albert Franklin. They issued fake appoint order, which came to his knowledge only thereafter. He came to know that he was cheated. Upon which, he lodged a complaint. Based upon which, the above said case has been registered.

3.During the course of investigation, the involvement of this petitioner has also came to light. On that account, he has also been implicated and seeking anticipatory, this petition has been filed.



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4.The learned counsel appearing for the petitioner would submit that absolutely, he is not involved in the above said transaction between A1, A4 and the de-facto complainant. He introduced the de-facto complainant to A1 and A4. Except that, he is not involved in the above said issue.

5.Per contra, the learned counsel appearing for the de-facto complainant would submit that this petitioner only took the de-facto complainant along with A1 to A4-Albert Franklin. At that time, he handed over a fake appointment order. According to him, in the entire issue, this petitioner is also involved. Apart from that, he has also submitted that the de-factco complainant deposited various amount in the account of this petitioner on various dates. The deposit receipt is also produced by the de-facto complainant. He only sent the above said fake appointment order through whatsapp to the de-facto complainant. So, the contention on the part of the petitioner that except introducing A1, he is not involved in the above said issue is not correct on record.

6.During the course of investigation, it was found that several innocent persons have been cheated and the total amount involved is Rs.35,00,000/-. The above said statement prepared by the Investigating Officer shows that Rs.1,15,000/- was

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



deposited in the account of this petitioner. As noted above, the anticipatory bail that was filed by the petitioner came to be dismissed by the Principal District Judge, Ramanathapuram.

7. So considering the gravity of the offence and also the involvement of this petitioner in not only receiving the money, but also in issuing the fake order, he is not entitled for the discretionary relief from this court. The above said offence requires thorough investigation by subjecting the custodial interrogation.

8. So, I find no reason to entertain this petition.

9. In the result, this criminal original petition is dismissed.

sd/-
24/08/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.



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

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ORDER
IN
CRL OP(MD) No.13647 of 2023
Date :24/08/2023

SSA/VRS/08.09.2023/5P/3C

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