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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 11/09/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.OP(MD)No.13947 of 2023

Sankamirtham @ Sudha

: Petitioner/ A2

Vs.

State through
The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.46 of 2020)

: Respondent/ Complainant

For Petitioner : Mr.K.Chengiz Khan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:-For Anticipatory Bail in Crime No.46 of 2020 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 420 and 506(ii)IPC, in Crime No.46 of 2020 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution in brief:-

The de-facto complainant lodged a complaint stating that his relative namely Nataraj informed him that one Koyilraj is running a private employment service called 'AIZIA PRIVATE EMPLOYMENT SERVICE'. At that time, the first accused Koyilraj informed him that he is having higher political influence and having several friends at high level. He promised to secure job for his wife. On 05/06/2017, he visited the office. At that time, one Sudha was also present. He demanded Rs.50,000/- for the purpose of arranging job. For arranging job, they received Rs.50,000/- each from four persons. The money was paid to Sudha. For his wife also, he paid Rs.50,000/-. He also introduced his friends and relations numbering about 74. Totally, Rs.1,80,00,000/- was given for securing job in various Departments including the Courts. In the course of time, they delayed. At one point of time, they also issued appointment orders in favour of some persons. On enquiry, it was revealed that all the appointment orders were fake. On enquiry, they were criminally intimidated and abused. On the basis of the complaint, a case was registered in Crime No.46 of 2020 for the offences under sections 420 and 506(ii) IPC.

3. Seeking anticipatory bail, this petition has been filed on the ground that the earlier application came to be dismissed considering the seriousness of the allegation



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and also considering the fact that money was not recovered so far. This is the second application filed on the ground that A1 was arrested and later released on bail, on 30/06/2020 stating that the investigation is completed. So the custodial interrogation of the petitioner is not required due to lapse of time.

4. Heard both sides.

5. Now the question, which arises for consideration is whether granting of anticipatory bail to A1 will enure the benefit to this petitioner for getting anticipatory bail.

6. The learned Additional Public Prosecutor would submit that several persons have been cheated by this petitioner along with A1 and even fake appointment orders have been issued; Repeated anticipatory bail applications filed by the petitioner came to be dismissed by this court; Money has not been recovered so far.

7. Even though, it has been submitted by the learned counsel appearing for the petitioner that only A1 was running the above said private employment office and he only received the money and no amount was deposited in the account of this petitioner and he has not also shared the benefit. But perusal of the CD file shows that this petitioner is also actively involved in the collection of money from various persons. More than Rs.1.80 Crores have been cheated. Fake Government seals have also been created for issuing the above said fake appointment orders.



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8. Considering the grievous nature of the allegations, absolutely, I find no reason to entertain the second anticipatory bail petition.

9. Serious nature of the allegation is sufficient to deny the relief to the petitioner. He must be subjected to custodial interrogation to bring out the truth as well as the transfer of money. The offence of this nature cannot be taken lightly.

10. So, I find absolutely no change of circumstances and the regular bail granted to the first accused cannot be taken in favour of the petitioner.

11. In the result, this criminal original petition stands **dismissed**.

sd/-

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

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TO

1 THE INSPECTOR OF POLICE
PUDUKKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

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



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5

ORDER
IN
CRL OP(MD) No.13947 of 2023
Date :11/09/2023

SS/JGB/19/09/2023/5P/3C

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