



WEB COPY



Crl.O.P.Nos.3842 & 4037 of 2024

C.V.KARTHIKEYAN, J.

The petitioners/A1 & A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 468, 469 & 471 of IPC in Crime No.205 of 2023 on the file of the respondent, seeks anticipatory bail.

2.A1 has filed Crl.O.P.No.3842 of 2024 and A2 has filed Crl.O.P.No.4037 of 2024 both in Crime No.205 of 2023.

3.A1 was working as an Administrative Officer in Gulshan Medicare, at Chennai office, which is a company having offices across the country. A2 was working as X-Ray operator at Chennai office. The defacto complainant is the Manager at Mumbai office. It is stated that the Chennai office had issued Medical Certificates for 32 unfortunate persons, on the basis of which, they went over to Gulf country for work



but when they reached Kuwait, they were once again medically examined and found that they were unfit for any work. The names of two of them had been disclosed in the counter affidavit and it is stated that they both have tuberculosis.

4.The learned counsel for the 1st accused stated that A1 had resigned on 10.09.2023 and the learned counsel for 2nd accused stated that A2 had also resigned on June 2023. It is stated that the offences took place between the period 03.09.2023 and 10.10.2023 and therefore both these petitioners could not be either directly or indirectly connected with creation of those medical certificates.

5.There is also one more accused, who is ranked as A3 / Agent, who had brought together all these unfortunate people who had aspiration to go over to gulf. The resignation letters will have to be tested by the respondent. Investigation will have to be done and also have to be examined whether there were earlier candidates who had been similarly sent on the basis of false and bogus medical certificates. This would tell upon the family members of those individuals as, if for any unfortunate



circumstance, any misfortune were to happen to them at then foreign country, the family members would be left high and dry.

6.In the counter it had been very clearly stated that the investigation is at very preliminary stage.

7.Taking all these factors into consideration, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petitions stand dismissed.

8.The oral representation made on behalf of the defacto complainant had been noted.

23.02.2024

smv

C.V.KARTHIKEYAN, J.



WEB COPY



smv

Crl.O.P.Nos.3842 & 4037 of 2024

23.02.2024