



WEB COPY



Crl. O.P.No.11563 of 2024

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and Crl. M.P.No.10103 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A1 who apprehends 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 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 defact 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.

3. The details of the 32 individuals who had been cheated have been given in the counter affidavit. The details have also been given by the



Crl. O.P.No.11563 of 2024

defacto complainant in the intervening application. It is seen that all the 32 persons were suffering from tuberculosis, but that was suppressed and a fake X-ray was taken to show that they were fit and they were sent to UAE for employment. When they arrived there, their medical fitness was again checked and it was found that the X-rays which have been issued certifying their fitnesses were all fake and bogus.

4. Learned counsel for the intervenor stated that not only were the 32 persons cheated, but also the reputation of the defacto complainant had been badly affected.

5. Learned Government Advocate appearing for the criminal side stated that a special team has been formed to secure the absconding accused.

6. Learned counsel for the petitioner pointed out that after the earlier date when the anticipatory bail was dismissed for both A1 and A2, a learned Single Judge of this Court had granted anticipatory bail for A3. This fact was pointed out by the learned counsel who stated that A3 is the main individual who had introduced all these 32 persons and that the petitioner had no role at



Crl. O.P.No.11563 of 2024

all. But again, it is stated that after the order granting anticipatory bail, A3 had not been complying with the conditions and is absconding. This would only indicate that there is a clear possibility of absconding from judicial process even if the application seeking anticipatory bail is granted. The investigation is still to progress substantially. The counter affidavit does not indicate that the investigation has been completed. Further records will have to be obtained. Further witnesses will also have to be examined.

7. Taking into consideration the conduct of A3 in not complying with the conditions and absconding even when anticipatory bail was granted and the fact that the prospects of 32 persons have been seriously affected by the acts of the petitioner and other accused, I am not inclined to grant anticipatory bail to the petitioner. Thus the Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petitions stands closed.

25.07.2024

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