



CRL OP(MD) No.2587 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2587 of 2024

PRASATH

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT,
THOOTHUKUDI.
CRIME NO.29 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.M.MANIVELPANDIAN, Advocate

For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.29 OF 2023 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 alleged offence under Sections 406 and 420 IPC, in Crime No.29 of 2023, on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.trn.gov.in/judis> 2. The case of the prosecution is that the accused persons created a Trust in the



CRL OP(MD) No.2587 of 2024

WEB COPY

name and style of Aadhava Trust and by inducing several innocent persons, the accused persons had collected huge amount, as if, they will provide employment for the post of teacher in the Government school and thereafter, the accused persons gave appointment orders through Trust to the Government school and paid meagre salary of Rs.5,000/- and thereafter, they have not paid any amount and cheated the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that the petitioner had approached the first accused for getting job to his wife and for his survival, he joined as employee in Aadhava Trust and received monthly salary from the first accused and he is not a member of Aadhava Trust. Hence, he prays for grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) strongly opposed to grant anticipatory bail to the petitioner stating that the petitions filed by the co-accused seeking anticipatory bail were dismissed by this Court on 19.01.2023 and 13.02.2024. The accused persons had approached the Educational Authorities, as if they fulfilled the infrastructure facilities to the school and in collusion with the Educational Authorities, they obtained permission and engaged teachers through the Trust and paid meagre amount and thereafter, refused to pay the amount. Initially, the accused



CRL OP(MD) No.2587 of 2024

WEB COPY

persons created the Trust and by inducing several victims, they had collected huge amount of more than Rs.24 Crores.

5. It appears that the accused persons created the Trust in the name and style of Aadhava Trust and had collected huge amount of more than Rs.24 Crores from the innocent persons by stating that they will provide employment for the post of Teacher in the Government School, and thereafter, the accused persons cheated them. Considering the facts and circumstances of the case and the seriousness allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/02/2024

/ TRUE COPY /

/04/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

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

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

+1 CC to M/s.M.M.MANIVEL PANDIAN, Advocate (SR-2516[I] dated 29/02/2024)
<https://www.mhc.tn.gov.in/judis>



WEB COPY



CRL OP(MD) No.2587 of 2024

ORDER

IN

CRL OP(MD) No.2587 of 2024

Date :29/02/2024

RS/JGB/SAR-(12.04.2024) 4P 4C

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