



CRL OP(MD). No.19846 of 2023

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

Date : 08/12/2023

PRESENT

The Hon'ble Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.19846 of 2023

1. S.Mathan Selvaraj
2. M.Karthika Mathan

... Petitioners/ A2 and A3

Vs

1.The Deputy Superintendent Of Police,
EOW-1, Tiruchirappalli.

2.The Inspector of Police,
EOW-1, Tiruchirappalli.
Cr.No.8/2023.

... Respondents/Complainants

K.Loganathan

... Petitioner/Intervener
in CRL MP(MD)No.17150 of 2023
in CRL OP(MD)No.19846 of 2023

M.S.S.Shiek Abdullah

... Petitioner/Victim
in CRL MP(MD)No.17132 of 2023
in CRL OP(MD)No.19846 of 2023

1 M.Johnson Mathew

2 M.Jerin Mathew

... Intervene Petitioners/Proposed Respondents
in CRL MP(MD)No.16546 of 2023
in CRL OP(MD)No.19846 of 2023



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S.Ayisha kani

... Petitioner/Defacto Complainant
in CRL MP(MD)No.17446 of 2023
in CRL OP(MD)No.19846 of 2023

Rengarajan

... Petitioner/Intervener
in CRL MP(MD)No.16897 of 2023
in CRL OP(MD)No.19846 of 2023

B.Jayarani

... Petitioner/Intervener
in CRL MP(MD)No.16898 of 2023
in CRL OP(MD)No.19846 of 2023

K.Balakumaran

... Petitioner/Intervener
in CRL MP(MD)No.16899 of 2023
in CRL OP(MD)No.19846 of 2023

For Petitioners : Mr.S.Sarvagan Prabhu
Advocate.

For Respondent : Mr.R.Sureshkumar,
Government Advocate (Crl.Side)

For Intervenors : Mrs.A.Banumathi (Crl.MP(MD)No.17150/2023)
Mr.A.Mohan (Crl.MP(MD)No.17132/2023)
Mr.B.Subash (Crl.MP(MD)No.16546/2023)
Mr.M.Ananthakumar (Crl.MP(MD)No.17446/2023)
Mr.C.Vakeeshwaran (Crl.MP(MD)Nos.16897 to 16899/2023)

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

PRAYER :-

For Anticipatory Bail in Crime No. 8/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A2 and A3, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 406, 420 and 120B IPC and Section 5 of TNPID Act, 1997 in Crime No.8 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are running gold shops, by name and style of Pranav Jewellers, having its head office at Tiruchirappalli and the said retail gold shops were commenced in the year 2020 in various parts of the State. They have announced various schemes by circulating vast advertisements to attract the customers/investors with high returns. Believing the said advertisements and promise as genuine and true, hundreds of people across the State had invested crores in the gold chit schemes. In this circumstances, the petitioners closed their shops. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are the innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are the husband and wife and they are having school going children and they are ready to settle the matter. Hence, he prays for anticipatory bail to the petitioners.



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4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the petitioners are running gold jewelry shops and they have received deposits from various persons and they are not repaying the amount. However, they closed their shops. He would further submit that the petitioner are responsible for the amount, hence, in this case, custodial interrogation is necessary. Therefore, he has strongly opposed to grant anticipatory bail to the petitioners.

5. The learned counsels appearing for the intervenors have also strongly opposed to grant anticipatory bail to the petitioners.

6.Heard both sides and perused the materials available on the record.

7. A perusal of the records, it is noticed that the petitioners are running gold shops, by name, Pranav Jewellers, having its head office at Tiruchirappalli and they have collected deposits from the public. Suddenly, they have closed all the shops. Hence, the cases have been registered against them. Further, in this case, investigation is pending and it has to be found as to the actual amount deposited by the public and as to the actual properties standing in the name of the petitioners. Therefore, in this case, custodial interrogation of the petitioners is required by the respondent police.



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8. In view of the above, this Court is of the view that the petitioners are not entitled to grant anticipatory bail at this stage. Hence, this Criminal Original Petition is dismissed.

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/01/2024

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

SKN
TO

1. THE DEPUTY SUPERINTENDENT OF POLICE,
EOW-1, TIRUCHIRAPPALLI.

2. THE INSPECTOR OF POLICE,
EOW-1, TIRUCHIRAPPALLI.

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

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-17482[I] dated 08/12/2023)

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-17499[I] dated 08/12/2023)

ORDER

IN

CRL OP(MD) No.19846 of 2023

Date :08/12/2023

SS/DD/SAR- /23/01/2024/5P/6C

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