

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.08.2015

CORAM

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

CRL.O.P. NO.16542 OF 2015

C.Manivannan

.. Petitioner

Versus

The State rep. By
The Inspector of Police,
Economic Wing-II Branch II,
Coimbatore.
(Crime No.27/2012)

.. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to modify the conditional order dated 22.06.2015 in Crl. M.P.No.1696 of 2015 on the file of the Principal District and Sessions Judge, Coimbatore, from the payment of deposit of Rs.4,00,000/- (Rupees four lakhs only).

For Petitioner : Mr. B.Nedunchezhiyan
For Respondent : Mr.K.Prabakar
Government Advocate (Crl. Side)

O R D E R

The petitioner has come forward seeking modification of the order of the Principal District and Sessions Judge dated 22.06.2015.

2. The petitioner along with others entered into partnership business of 'Om Sakthi Emu Farms'. The case of the petitioner is that he has resigned from the partnership firm and submitted that he has not committed any offence, much less, offence under section 5 of TNPID Act 1997 and under section 120B, 406 and 420 of IPC and he apprehends arrest at the hands of the police and sought for anticipatory bail.

3. The prosecution contended that the partners colluded between them with the intention of cheating the depositors and canvased the depositors to deposit the money with A1 and collected a sum of Rs.2,37,07,100/- and dishonestly converted them for their personal use and willfully cheated the depositors.

4. The petitioner refuted the contention stating that he has been falsely implicated in this case and he has nothing to do with the allegation.

5. The learned Public Prosecutor submitted that the petitioner also participated in the administration of the company and he along with other accused has cheated the depositors to a sum of Rs.2.76 crores and that the contention of the petitioner that the second accused has been granted anticipatory bail on 06.3.2013 is not a ground for granting relief of anticipatory bail to this petitioner.

6. The Principal District and Sessions Judge, Coimbatore, by an order dated 22.06.2015 has granted anticipatory bail to the petitioner on condition that the petitioner shall surrender before the Judge, Special Court for TNPID Act cases, Coimbatore on or before 06.07.2015, failing which the petition shall stand dismissed automatically and also ordered the petitioner to execute a bond for Rs.10,000/- with two sureties for a like sum each, in addition to his depositing of Rs.4,00,000/- to the credit of Crime No.27 of 2012, to the satisfaction of the Judge, Special Court of TNPID Act cases and on condition that he shall report before the respondent police daily at 10.30 a.m. until further orders.

7. The petitioner has not complied with the order. And now he has come forward for modification of the condition, more particularly, the payment of Rs.4,00,000/- ordered by the Principal District and Sessions Judge, Coimbatore. The amount alleged to have been cheated is over Rs.2.6 crores. Appropriate condition has been imposed by the learned Principal District and Sessions Judge, directing the petitioner to deposit Rs.4,00,000/-, which cannot be sought to be modified. There is no reason, much less, genuine reason to modify the order for deposit of Rs.4,00,000/-. Hence this petition is dismissed.

vrc

s/d-
Assistant Registrar(CS-III)

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

To

1. The Principal District and Sessions Judge, Coimbatore.
2. The Judge, Special Court for TNPID Act cases, Coimbatore.
3. The Inspector of Police, Economic Wing-II Branch - II, Coimbatore.
4. The Public Prosecutor, High Court of Madras, Chennai - 600 104.

+ 1 cc to Mr.B.Nedunchezhiyan, Advocate SR 42173

gj(co)
prk20/8

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