



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

Wednesday, the Fourth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.14336 of 2014

1 K.MATHANKUMAR

2 JANET JENETHA

... PETITIONERS / ACCUSED NO.3 & 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING, TIRUNELVELI,
TIRUNELVELI DISTRICT.
CR. NO. 3 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.GOWRISHANKAR Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Initially, the matter was referred to Mediation Centre and the Mediation Centre sent a failure report dated 18.12.2014.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is the case of the prosecution that the first and second accused in this case along with these petitioners had floated a company in the name of Unique Consulting and Trading Company (P) Ltd and they had received deposits from various persons to the tune of Rs.21 lakhs and had cheated them.

4. The learned counsel for the petitioners submits that the petitioners themselves have invested money in the company and they are victims. In this regard insolvency proceedings has been initiated by the first and second accused in I.P.No.12 of 2013 before, the District Court, Tirunelveli and in that, one Mathankumar the first petitioner has been shown as one of the respondents.

5. Per contra, from the case diary, the learned Additional Government Pleader produced a letter addressed by the Madras Stock Exchange wherein it is clearly stated that Unique Consulting and Trading Company Private Limited was promoted by the first accused by name Shanmuga Ganeshan and the first petitioner herein and S.Indira the wife of the Shanmuga Ganeshan and Janet Jenetha the second petitioner herein. Therefore, it cannot be stated that these petitioners have not involved in the affairs of the company. Under such circumstances, taking into consideration the gravity of the allegation against these petitioners in as much as they have received money from the investors and not refunded, this Court



is not inclined to grant anticipatory bail to the petitioners. Hence, this petition is dismissed.

sd/-
04/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING, TIRUNELVELI, TIRUNELVELI DISTRICT.
2. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14336 of 2014
Date :04/02/2015

RG.10.02.2015 2P.3C.