



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21367 of 2015

S.MARIAMMAL

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
ECONOMIC OFFENCE WING,
TIRUNELVELI.
(CR. NO. 1 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.S.POORNA CHANDRAN Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

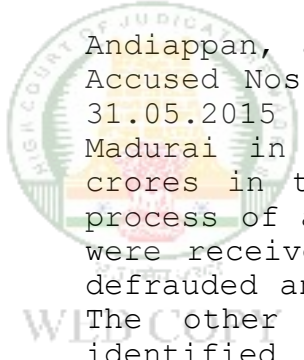
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 of IPC and Section 5 of Tamil Nadu Protection of Interest of Depositors Act, in Crime No.1 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the first accused were running a registered Firm in the name and style of "Udaya Marketers & Udaya Foundation" and they have given a advertisement by attracting the innocent public. The defacto complainant approached the Director of Firm, for investing money to the scheme announced by the Firm. The defacto complainant invested amount in various scheme and they failed to return the money to the defacto complainant. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and the first accused, who is the husband of the petitioner, is the director of the Company and there is no specific averment against the petitioner in the FIR and the first accused was arrested and released on bail and the first accused properties were attached by the respondent as per the Provisions of TANPID Act and this petitioner is not connected with the alleged offence.

4.The respondent police has filed a counter affidavit stating that this petitioner and A1 conducted a non banking financial company in name of Udaya Marketers Ltd., and collected deposits in various schemes and they did not repay the amount to the depositors and cheated the general public and on the complaint given by one depositor by name



Andiappan, a case has been registered and the investigation is pending. Accused Nos.1 & 2 are the directors of the Firm and A1 was arrested on 31.05.2015 and released on bail as per the orders of the TANPID Court, Madurai in Crl.M.P.No.1827 of 2015. Some of the properties worth Rs.1 crores in the name of the first accused was identified and are in the process of attachment. During the course of investigation, 238 complaints were received and found that this petitioner and the first accused were defrauded and cheated the innocent public and collected Rs.3,16,95,750/-. The other properties purchased by the accused persons are to be identified and are to be attached and if the petitioner is released on anticipatory bail, she will tamper the witnesses and hamper the prosecution.

5.Considering the seriousness of the allegations and also considering the gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
01/12/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ECONOMIC OFFENCE WING, TIRUNELVELI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.21367 of 2015
Date :01/12/2015

NS/SKS-RR/SAR II/07.12.2015 : 2P/3C