



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

Tuesday, the Seventeenth day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.21602 of 2015

1 C. MAHENDRAN
2 SHANTHI
3 E. CHIDHAMBARAM

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING,
MADURAI, MADURAI DISTRICT.
(CRIME NO. 4 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S A.BALAJI 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 :-

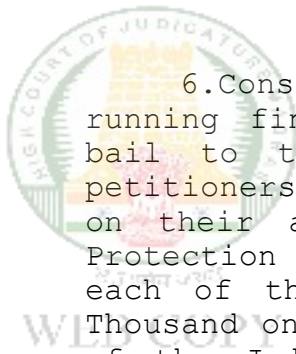
The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and Section 5 of the Tamil Nadu Protection of Interest of Depositors Act, in Crime No.4 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant deposited a sum of Rs.2,00,000/- in a finance company viz., Sri Vinayaka Marketing Company, run by A1 and A1 agreed to pay 5% of interest on the deposited amount. Subsequently, he did not pay the amount. Hence, the complaint has been lodged against the petitioners.

3. According to the petitioners, the first petitioner borrowed a sum of Rs.3,00,000/- from the de facto complainant on 20.10.2012, subsequently, the de facto complainant demanded exorbitant interest and tortured the first petitioner. Therefore, he gave a complaint to the respondent police. After receiving the complaint, the respondent did not register the case. As a counter complaint, the de facto complainant has given a complaint against the petitioners.

4. The learned counsel for the petitioners submitted that the first petitioner has received only a sum of Rs.3,00,000/- and paid a sum of Rs.1,89,000/- and the dispute is only civil in nature.

5. The learned Government Advocate (Crl. Side) would submit that on [https://hcservices.ecourts.gov.in/hcservices/](https://hcservices.ecourts.gov.in/hcservices/services/ecourts.gov.in/hcservices/) it was found that the first petitioner is not running a finance company.



6. Considering the facts and circumstances of the case and A1 is not running finance company, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Judge, Special Court for Tamil Nadu Protection of Interest of Depositors Case (TNPID Court, Madurai and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judge concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8. It is submitted that the second petitioner's name is Muthu Santhakumari, but, in the First Information Report it has been wrongly mentioned as Shanthi

sd/-
17/11/2015

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE, ECONOMIC OFFENCES WING,
MADURAI, MADURAI DISTRICT.

2 THE JUDGE, SPECIAL COURT FOR TAMILNADU PROTECTION OF INTEREST
OF DEPOSITORS CASE (TNPID COURT) MADURAI.

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

+1. CC to M/S A.BALAJI Advocate SR.No.65832

ORDER
IN
CRL OP(MD) No.21602 of 2015
Date :17/11/2015

GJM/ARK/IK/ARII-23.11.2015-2p-5C