



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

Thursday, the Fifth day of November Two Thousand Fifteen

PRESENT

WEB COPY

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

CRL OP(MD) No.7435 of 2015

Y.MOHAMED KALAMJI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY THE INSPECTOR OF POLICE

ECONOMIC OFFENCES WINGS II CID,

MANNARPURAM, TRICHY DIST.

CRIME.NO.2 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA 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, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 409 and 420 of IPC r/w Section 5 of Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act 1997, in Crime No.2 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that in the year 2012, the defacto complainant and 14 others had entered into a partnership EMU business with this petitioner, for which the defacto complainant had invested for a sum of Rs.1,80,000/-, but from the beginning itself, the petitioner did not give any share in the profits as well as the principle amount to the defacto complainant and even after approaching several time, the petitioner has not repay the amount. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that the business was closed within three months, in the year 2013 itself and all the amounts have been settled to all the persons including the defacto complainant.

4.The learned Government Advocate (Crl.side) submitted that the investigation is pending.



5.Considering the gravity of offence and also considering the fact that investigation is still pending, hence, I am not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this petition is dismissed.

sd/-

05/11/2015

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

TO

1 THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WINGS II CID,
MANNARPURAM, TRICHY DIST.

2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

ORDER

IN

CRL OP(MD) No.7435 of 2015

Date :05/11/2015

AA/SKS-RR/17.11.2015/2p-3c