



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

Monday, the Twenty Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11725 of 2016

1 SELVAKUMAR
2 UTTAMAN
3 RAJKUMAR
4 YOSEPH
5 CHELLAKKATTI @ MASILAMANI ... PETITIONERS/ACCUSED No.1 to 5

Vs

THE STATE OF TAMILNADU
REP. BY ITS INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO.160/2016 ... RESPONDENT/COMPLAINANT

FOR PETITIONERS : M/S ANANTH C.RAJESH, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

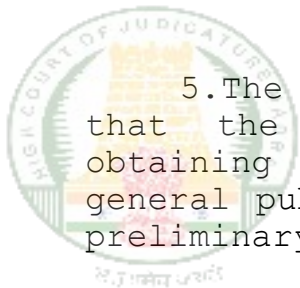
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 5, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(i) IPC, in Crime No.160 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are running the weekly chit in CSI Church and number of persons joined in the chit and weekly amount to be paid. The defacto complainant also paid the amount to the petitioners. Subsequently, the petitioners did not repay the amount. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are running weekly chit in CSI Church and out of 250 members, 130 persons had taken the money. The defacto complainant without waiting for his turn, has given a false complaint against the petitioners.

4.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.



5.The learned Government Advocate (Criminal Side) submitted that the petitioners are running unauthorised chit, without obtaining any permission and after collecting the money from the general public, did not pay the amount and the investigation is in preliminary stage.

6.Considering the serious nature of allegation levelled against the petitioners that the petitioners are running chit without obtaining any permission and after collecting the money from the general public, they did not repay the amount, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly, this Criminal Original Petition is dismissed.

sd/-
22/08/2016

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S ANANTH C.RAJESH Advocate SR.No. 46377

ORDER
IN
CRL OP(MD) No.11725 of 2016
Date :22/08/2016

PS
TE/SK-SKN/SAR-I : 29/08/2016 : 2P/4C