



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

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

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CRL OP(MD) No.10816 of 2017

1 A.VIVEKANANDHAN
2 S.HIRAN KUMAR
3 D.V.SREEDHAR

... PETITIONERS/ACCUSED 18 to 20

Vs

THE STATE OF TAMILNADU REP.BY,
THE INSPECTOR OF POLICE (E.O.W,)
ECONOMIC OFFENCES WING, MADURAI
(CRIME NO.6/2016)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.MANIKANDAN Advocate

For Respondent : MR.A.RAMAR, Additionl Public Prosecutor.

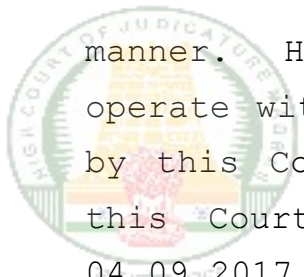
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A18 to A20, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 120(B) of IPC., and Section 5 of TANPID Act, in Crime No.6 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant approached the Company by viz., M/s.Disc Agrotech Limited and joined in ILPS-90 months continuous RD scheme for 7 years and have deposited the amount of Rs.71,250/- on instalments. But, after maturity, the accused persons, who are all managing the said Company, has not given the maturity amount.

3. The learned counsel appearing for the petitioners states that all the records and properties were handed over to the One Man Committee appointed by this Court and the property was also seized in this case for depositing amount, as directed by this Court through One Man committee. He would further submit that the said Company is settling the claims of the depositors, in a speedy



manner. He also submitted that the petitioners are ready to co-operate with the enquiry and to abide any conditions to be imposed by this Court. The co-accused were granted anticipatory bail by this Court as per order in CrI.OP(MD).No.10832 of 2017 dated 04.09.2017.

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4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there four named and sixteen unnamed accused and totally twenty accused in this case and petitioners are arrayed as A18, A19, A20 respectfully and A18 & A19 are the Directors and A20 is the Managing Director of A6's Company. He also submitted that the total amount involved in this case is Rs.5 Crores. There are 2,955 acres of lands were seized sofar and 3,554 acres of lands were identified worth about to Rs.183,05,61,229/-. This Court appointed Hon'ble Mr.Justice G.M.Akbar Ali, a Retired Judge, as Commissioner to look into the grievances of the de-facto complainant and the other depositors and also appointed Mr.B.Kumar, Senior Counsel, Mr.R.Vijay Marayan, Senior Counsel and Mr.M.S.Krishnan Senior Counsel as *Amicus Curie*, to assist the Court to workout the mode of repayment to the depositors, as per the order in W.P.No.8084 of 2017 and the investigation is still pending.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Special Court, TANPID Act, Madurai on condition that each petitioners shall execute 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 respondent police or the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall report before respondent Police weekly once i.e. Every Sunday at 10.30 a.m., until further orders, for interrogation. The petitioners shall comply with the conditions 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 is made ready, failing which, the petition for anticipatory bail stands dismissed.

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sd/-
19/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE, SPECIAL COURT, TANPID ACT, MADURAI.
- 2 THE INSPECTOR OF POLICE(E.O.W), ECONOMIC OFFENCES WING, MADURAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10816 of 2017
Date :19/09/2017
(2/3)

PK/CM-MSA/SAR-1/21.09.2017 : 3P/4C