



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

Monday, the Fourth day of September Two Thousand Seventeen
PRESENT

The Hon'ble Mrs. Justice J.NISHA BANU

CRL OP(MD) No.10832 of 2017

WEB COPY

1 S.RENGARAJ

2 D.KAMALAKANNAN

... PETITIONERS/ACCUSED 7 to 8

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, Additional Public Prosecutor

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

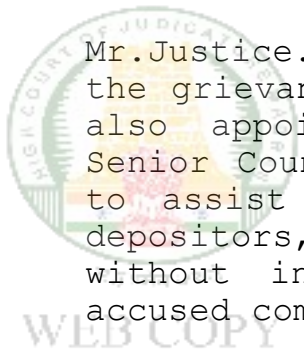
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A7 and A8 in Crime No.6 of 2016 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 120(B) IPC and Section 5 of TANPID Act and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent/State.

3.The learned Additional Public Prosecutor, on instructions, submitted that the accused persons/A1 to A3 were running a Company, by name M/s.Disc Agrotech Limited and have promoted various schemes offering to give high returns for the deposits made by the parties. Believing the same, the de-facto complainant had deposited Rs.500 per month, for 90 months, under one of the schemes. At the time of maturity, the de-facto complainant approached the said company for repayment and the said company failed to repay the deposited amount and hence, the present case came to be filed and after several rounds of enquiry, the present petitioners have been arrayed as accused in this case.

4.The learned counsel for the petitioners submitted that initially the case was registered only against the directors/A1 to A3, who were granted Anticipatory Bail by this Court, after a detailed and elaborate discussion, by order dated 02.09.2016, in CrI.OP(MD)No.8954 of 2016. Thereafter, a writ petition in W.P(MD) No.8084 of 2017 came to be filed by the depositors, who were cheated by the accused company, wherein, this Court appointed Hon'ble



Mr. Justice.G.M.Akbar Ali, Retired Judge as Commissioner to look into the grievances of the de-facto complainant and 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 work out the mode of repayment to the depositors, as expeditiously as possible, as enhanced under law, without interfering with legal/criminal proceedings against the accused company.

5.It is further submitted by the learned Counsel for the petitioners that the said company is settling the claims of the depositors, in a speedy manner and they are ready to co-operate with the enquiry and abide any other conditions as stipulated by this Court.

6. Considering the facts and circumstances of the case, 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 Special Court, TANPID Act, Madurai and on each 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police once in fifteen days at 10.30 a.m. until further orders. 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 shall stand automatically dismissed.

sd/-
04/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE, THE 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.

+1. CC to M/S.S.MANIKANDAN Advocate SR.No.29913

ORDER
IN
CRL OP (MD) No.10832 of 2017
Date : 04/09/2017