



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

Wednesday, the Fifth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.3526 of 2017

THAVAMUTHU

... PETITIONER / ACCUSED No.8

Vs

The State Rep.by
THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING-II,
MADURAI
CRIME NO.05 OF 2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.F.DEEPAK Advocate

For Respondent : Mr.K.V.Rajarajan, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

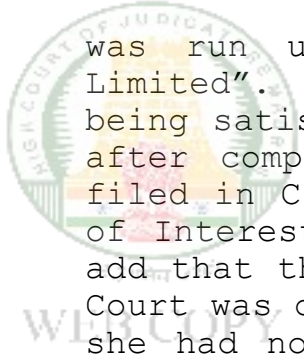
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.8, was arrested and remanded to judicial custody on 13.02.2017, for the offences punishable under Section 5 of Tamil Nadu Protection of Interest of Depositors Act and Sections 406, 420 and 120(b) I.P.C., in C.C.No.2 of 2016 on the file of the Tamil Nadu Protection of Interest of Depositors Court, Madurai, in connection with the case in Crime No.5 of 2014, seeks bail.

2. The case of the prosecution is that the defacto complainant has deposited Rs.3,53,000/-, under different Schemes, in a Company, which was run under the name and style of " Makkal Desam Agro Tech Limited." When the defacto complainant was in need of the amount, he demanded the same, but, the petitioner, who is figured as Director of the Company along with other accused, failed to return the same, thus, the accused are alleged to have cheated the defacto complainant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is in no way connected with the affairs of the Company and she has been falsely implicated in the above case.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with the other accused have cheated several persons by inducing them to deposit in the Company, which



was run under the name and style of "Makkal Desam Agro Tech Limited". The respondent police has investigated the matter and on being satisfied, the petitioner is arrayed as accused No.8 and that after completion of the investigation, the charge sheet has been filed in C.C.No.2 of 2016 on the file of the Tamil Nadu Protection of Interest of Depositors Court (TNPID), Madurai. He would further add that the bail petition moved by the petitioner before the Trial Court was dismissed on the ground that after receipt of the summon, she had not chosen to appear before the Trial Court and hence, a Non-Bailable Warrant was issued and on execution of the same, she was arrested. He would further add that accused Nos.3, 4 and 6 are still absconding.

5. Considering the nature of the crime and the submissions made by the learned counsel on either side, this Court is of the considered opinion that the petitioner shall be released on bail, however, on stringent conditions.

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the Special Judge under the Tamil Nadu Protection of Interest of Depositors Act, Madurai.

(ii) The petitioner shall deposit a sum of Rs.25,000/- to the credit of C.C.No.2 of 2016 on the file of the Special Court under the Tamil Nadu Protection of Interest of Depositors Act, Madurai.

(iii) The petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

(iv) The petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Judge/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Judge/Trial Court.

sd/-
05/04/2017

/ TRUE COPY /

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



TO

1 THE SPECIAL JUDGE
UNDER THE TAMILNADU PROTECTION OF INTEREST OF DEPOSITORS ACT,
MADURAI

2 THE SUPERINTENDENT
WOMEN CENTRAL JAIL, MADURAI

3 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING-II,
MADURAI

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.F.DEEPAK Advocate SR.No.19474

SM:KKR:SAR 2:6.4.2017:3P/6C

ORDER

IN

CRL OP(MD) No.3526 of 2017

Date :05/04/2017