



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

Thursday, the Thirty First day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.542 of 2017

1 R.SUDHA MAHESWARI
2 S.VANITHA

... PETITIONERS / ACCUSED 4 & 5

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING-II, MADURAI.
(CRIME NO.10/2016)

... RESPONDENT /COMPLAINANT

For Petitioner : M/S.D.ANBARASU Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

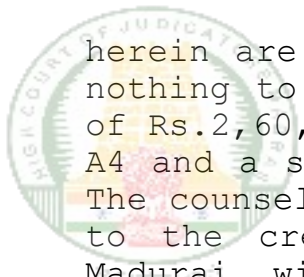
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 120(b) of IPC., and Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, in Crime No.542 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the accused herein said to have actively participated in the business transactions of A1 Company in respect of depositing the amount made by the depositors. So far 765 complaints were received from the depositors and the amounts involved in this case is Rs.3,00,00,000/-. The 1st petitioner has taken the amount by way cheques from the A1's Company's account to the tune of Rs.43,87,930/- and the 2nd petitioner herein said to have taken the amount by way of cheque from the A1's Company's account, on various dates, to the tune of Rs.3,43,500/-. The first petitioner said to have pledged the jewels of the Company for Rs.16,64,710/- and latter on redeemed those jewels to the value of Rs.18,00,000/-.

3. The learned counsel appearing for the petitioners states that the petitioners are wrongly implicated in the offence by the respondent Police. The petitioners are the employees of the said Company and they are not related with any of the transactions between the public and the defacto complainant. The petitioners are no way connected with the alleged offence. The petitioners



herein are only workers of the first accused Company and they have nothing to do with the transactions. He also submitted that a sum of Rs.2,60,000/- were deposited by the depositors in the accounts of A4 and a sum of Rs.4,31,000/- was deposited in the accounts of A5. The counsel for the petitioner undertakes to deposit the said amount to the credit of Crime No.10 of 2016, before the TNPID Court, Madurai, without prejudice to his contention in this case.

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4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally 7 accused in this case and the petitioners herein are arrayed as A4 & A5 respectively. He also submitted that A1 is the Company; A2 & A3 are Managing Partners of the said Company; A4 is the Manager; A5 is the Computer Operator and A6 & A7 are the incharge of the Company. He also submitted that A2 & A3 were arrested and released on bail by the concerned trial Court. A6 & A7 were granted anticipatory bail by this Court. The petitioners are absconding accused in this case and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that the petitioners are employees of A1's Company and they voluntarily undertake to deposit a sum of Rs.2,60,000/- by A4 and a sum of Rs.4,31,000/- by A5, to the credit of Crime No.10 of 2016, without prejudice to their rights and contentions, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

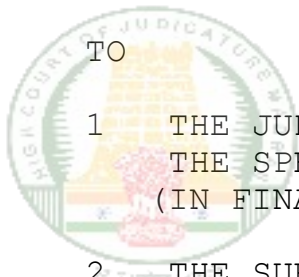
6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Special Court under TNPID (in Financial Establishment) Act, 1997, Madurai on condition that each petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand 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 first Petitioner / A4 shall deposit a sum of Rs.2,60,000/- and the 2nd Petitioner / A5 shall deposit a sum of Rs.4,31,000/-, to the credit of Crime No.10 of 2016, before TNPID Court, Madurai, and on further conditions that the petitioners shall report before the said Court daily at 10.30 a.m., until further orders. 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.

sd/-

31/08/2017

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TO

1 THE JUDGE,
THE SPECIAL COURT UNDER TNPID
(IN FINANCIAL ESTABLISHMENT ACT 1997), MADURAI.

2 THE SUB INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING-II, MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.542 of 2017

Date :31/08/2017

MKV-PN-SAR 2/05.09.2017/3P-4C