



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

Thursday, the Second day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) Nos.19887 and 15419 of 2016

1 M.CHITRA GOWRI
2 M.SIVABALAN

... PETITIONERS/ACCUSED NOS.2&3 IN
CRL.OP(MD)NO.19887 OF 2016

PALANIVEL THILAIKUMAR

... PETITIONER/ACCUSED NO.1 IN
CRL.OP(MD)NO.15419 OF 2016

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ECONOMICS OFFENCE WING,
TIRUNELVELI,
TIRUNELVELI DISTRICT,
(IN CRIME NO.2 OF 2016)

... RESPONDENT/ COMPLAINANT IN
BOTH THE PETITIONS

For Petitioner : M/S.D.RAMESHKUMAR Advocate in
Crl.OP(MD)No.19887 of 2016

M/S.M.AJMALKHAN, SENIOR COUNSEL for
J.SULTHAN BATCHA,
M/S.AJMAL ASSOCIATES in Crl.OP(MD)No.15419 of 2016

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)
in both the Petitions

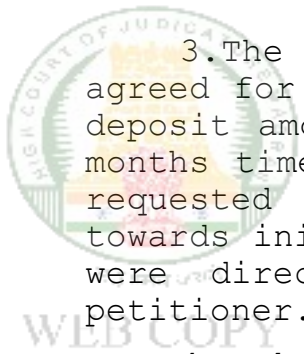
For Intervenor : M/S.V.R.VENKATESAN, Advocate in
both the Petitions

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

ORDER : The Court Made the following order :-

The learned counsel for the petitioners is present.

2.This Court by order dated 15.11.2016 in Crl.O.P.(MD)No.15419 of 2016 appointed the Hon'ble Mr.Justice S.Rajeswaran (Retd.) as One Man Committee. The petitioner was directed to furnish all the details and the respondent Police was also directed to give intimation to the depositors to make their appearance on the date that may be specified by him and if all the particulars are furnished, this Court expected the One Man Committee to conclude the Commission at the earliest.



3.The learned Senior Counsel appearing for the petitioner also agreed for the same and redress his grievance to the depositors and deposit amount could be settled. This Court has also granted two months time to the One Man Commission to decide the issue and also requested to have the sitting at Madurai. A sum of Rs.1 lakh towards initial expenses and Rs.2 lakhs towards initial remuneration were directed to be paid to the One Man Commission by the petitioner.

4.Today when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that the petitioners have not complied with the above said conditions. It is seen that the One Man Commission addressed a letter to the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, stating that the learned Senior Counsel appearing for the petitioners did not contact him so far and he has received 4 letters / requests from the depositors, who were cheated by the said company, requesting to take steps immediately to recover the amount from the said organization. The learned counsel for the petitioners seeks further time to deposit the amount since the petitioners have not chosen to deposit the said amount as ordered by this Court. The petitioners in CrI.O.P.(MD)No.19887 of 2016 are the wife and brother-in-law respectively of A1, who is the petitioner in CrI.O.P(MD)No.15419 of 2016.

5.Considering the conduct of the petitioners and also considering the fact that the petitioners failed to comply with the conditions imposed on 15.11.2016 by this Court, this Court is not inclined to grant further time and also anticipatory bail to the petitioners and the respondent Police is directed to secure the accused for further proceedings in this case. Accordingly, the Criminal Original petitions are dismissed.

sd/-

02/02/2017

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

TO

1.THE INSPECTOR OF POLICE

ECONOMICS OFFENCE WING,

TILRUNELVELI, TIRUNELVELI DISTRICT,

2.THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.AJMAL ASSOCIATES, Advocate, SR.No.5947

+2ccs to M/S.V.R.VENKATESAN, Advocate, SR.No.6377

RL/6C/2P/BS/SAR3/21.2.2017

ORDER

IN

CRL OP(MD) Nos.19887 and 15419
of 2016

Date :02/02/2017