

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18774 of 2018

RAGAVAN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
INSPECTOR OF POLICE,
E.O.W., ERODE,
ERODE DISTRICT.
CR. NO. 1 OF 2018.

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrayed as A7, was arrested on 28.06.2018 for the offence under Sections 120(B), 420 and 406 IPC in Crime No.1 of 2018 on the file of the respondent police and seek bail.

2.It is the case of the prosecution that totally there are 10 accused involved in this case. The petitioner was working as a Branch Manager in Tripura Chits (P) Limited. The petitioner as well as the Director, Managing Director including the staff of the said company collected money from the general public and cheated them to the tune of Rs.1,39,00,000/-, for which one of the affected party/defacto complainant has lodged this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution. Further, he would submit that the role of the petitioner is only collecting the money from the subscribers in favour of the company.

4.The learned Additional Public Prosecutor would submit that there are 10 accused involved in this case. This petitioner is arrayed as 7th accused in this case. The petitioner as well as the Director, Managing Director including the staff of the said company collected money from the general public and cheated them to the tune of Rs.1,39,00,000/-. He would further submit that the investigation is pending. Therefore, he may be released on stringent condition.

5. In view of the above, there is no specific allegation against this petitioner. Hence, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned [*] **Chief Judicial Magistrate, Erode** Special Court to deal with the Tamil Nadu Protection of Interest of Depositors Act Cases, Coimbatore and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Crime No.1 of 2018 before the [*] **Chief Judicial Magistrate, Erode** Special Court to deal with the Tamil Nadu Protection of Interest of Depositors Act Cases, Coimbatore;

(c) the petitioner shall report before respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, shall report before the respondent police on every Monday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

09/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

[*]AMENDED AS PER THE ORDER OF THIS COURT DATED 11/08/2018 MADE IN
CRL.MP.NO.10693 OF 2018 IN CRL.OP.NO.18774 OF 2018

TO

[*]CHIEF JUDICIAL MAGISTRATE,
ERODE

1 THE SPECIAL JUDGE,
SPECIAL COURT TO DEAL WITH THE TAMIL NADU
PROTECTION OF INTEREST OF DEPOSTIRS ACT
CASES, COIMBATORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE
SUB-JAIL, ERODE

4 STATE REP. BY
INSPECTOR OF POLICE,
E.O.W., ERODE,
ERODE DISTRICT.

+1 CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.NO. 15083

CRL OP.18774/2018

Date :09/08/2018

RD 09/08/2018

RD 13/08/2018

सत्यमेव जयते

WEB COPY