



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

Friday, the Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1230 of 2018

MUNIYASAMY

... PETITIONER/RANK NOT KNOWN

Vs

THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
O/O.SUPERINTENDENT OF POLICE,
THOOTHUKUDI.

(*) IN CRIME.NO.1/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.MARIA VINOLA, Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

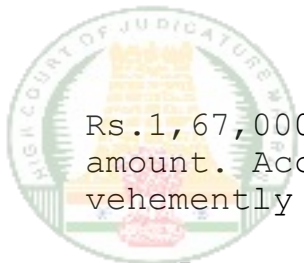
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections **(*) 406 and 420 I.P.C., in Crime No.1 of 2018**, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein was running a chit fund on installment basis in the name of Jothi Chit Fund and he received money from some depositors, but he did not repay the same. Hence, case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that the petitioner herein collected a sum of



Rs.1,67,000/- from so many depositors and did not repay the said amount. According to him, the case is under investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Upon considering the arguments advanced by either side, it is alleged that during the time of occurrence, the petitioner herein collected the fund on installment basis in the name of Jyothi Chit Fund and he made assurance that the amount was repaid including interest at the time of maturity. As of now, the collected amount was not repaid, due to which already complaint was lodged before the Inspector of Police, Vilathikulam. Then, enquiry was initiated by the said Inspector of Police, when at the time, the petitioner herein executed the document, in which, he assured to repay the said amount. But in spite of that, he did not repay the same. So, considering the nature of offence committed by the petitioner, custodial interrogation of the petitioner is necessary for completing the investigation. If the petitioner is granted anticipatory bail, it will be prejudiced the process of investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/02/2018

**(*) AMENDED AS PER ORDER OF THIS HON'BLE COURT
MADE IN CRL.MP(MD)752/18 IN CRL.OP(MD).1230/18
DATED 02.02.2018 BY RPAJ.**

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
O/O.SUPERINTENDENT OF POLICE,
THOOTHUKUDI.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.MARIA VINOLA Advocate SR.No.1876

ORDER
IN
CRL OP(MD) No.1230 of 2018
Date : 02/02/2018