



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.1273 of 2018

R.DEENADAYALAN

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING, TRICHY.
IN CR.NO.53/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.M.ARUN PRASATH Advocate

For Respondent : MR.A.ROBINSON Govt. Advocate (Crl. Side)

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

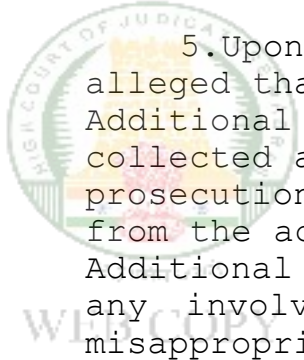
ORDER : The Court Made the following order :-

The petitioner/A5, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 120(b), 406, 420 I.P.C., in Crime No.53 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons are running a Chit Company in the name and style of M/s.Thiripura Chits Private Limited. The petitioner and other accused had collected a sum of Rs.2,70,00,000/- from 96 depositors and misappropriated the said amount. Hence, case has been registered against the petitioner and other accused for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case, he 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 totally there are 7 accused in this case. The petitioner herein is arrayed as A5. The petitioner and other accused collected a sum of Rs.2,07,00,000/- from the depositors and defrauded the same. According to him, investigation is still pending.



5. Upon considering the arguments advanced by either side, it is alleged that during the time of occurrence, the petitioner being the Additional General Manager by using the service of other accused, collected a sum of Rs.2,07,00,000/- from 96 depositors. According to prosecution, as of now, the misappropriated amount was not recovered from the accused persons. Since the petitioner is having the post of Additional General Manager, we cannot believe that he is not having any involvement in this dispute. So, in order to recover the misappropriated amount, custodial interrogation of the petitioner is necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-
02/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING, TRICHY.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.ABUL KALAM AZAD Advocate SR.No.46025

ORDER
IN
CRL OP(MD) No.1273 of 2018
Date :02/02/2018

MKV-RR-CSL-SAR 3/15.2.2018/2P-4C