



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

Tuesday, the Thirtieth day of January Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.1410 of 2018

C.VIJAYA BASKAR

... PETITIONER/ACCUSED No.7

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE.
ECONOMIC OFFENCE WING,
VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
IN CR.NO.3 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MATHAVAN Advocate

For Respondent : M/S.APG.OHM.CHAIRMA PRABHU,
Government Advocate (Crl.Side)

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

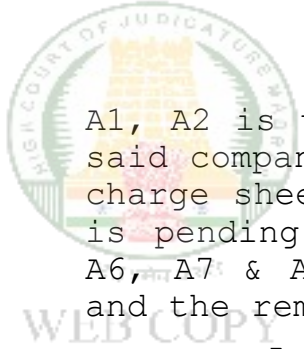
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 406, 420 IPC and Section 5 of TNPID Act in Crime No.3 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have collected huge money from the public under various schemes, however, they have failed to repay the deposited amount.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police on instruction would submit that initially FIR was registered against 8 accused persons and the petitioner is arrayed as A7 and the earlier anticipatory bail petition in Crl.O.P. (MD) No. 23245 of 2016 was dismissed by this Court on 19.12.2016. He further submitted that the petitioner is one of the Director in the company namely, Virutcham Agro Limited and the Company is arrayed as



A1, A2 is the Managing Director, A3 to A13 are the Directors of the said company. He also submitted that investigation is completed and charge sheet has also been laid before the Trial Court and the same is pending in C.C.No.21 of 20176 before TANPID Court, Madurai and A6, A7 & A11 were shown as absconding accused in the charge sheet and the remaining accused were enlarged on bail.

5.Considering the facts and circumstances of the case and considering the fact that the charge sheet has been filed and the same is pending in C.C.No.21 of 2017 and after dismissal of the earlier anticipatory bail petition, the respondent Police has not taken any steps to secure the petitioner, I am inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Special District Judge (Tamil Nadu Protection of Interest of Depositors Court), Madurai, on condition that the petitioner 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:

[a]the petitioner shall report before the court concerned daily at 10.30 a.m. until further orders.

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioner shall not abscond either during investigation or trial.

[d]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)** .

sd/-

30/01/2018

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

TO

1 THE SPECIAL DISTRICT JUDGE,
<https://hcservices.ecourts.gov.in/hcservices/>
(TAMIL NADU PROTECTION OF INTEREST OF DEPOSITORS COURT),
MADURAI



2 THE INSPECTOR OF POLICE.
ECONOMIC OFFENCE WING,
VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.G.MATHAVAN Advocate SR.No.1593

ORDER
IN
CRL OP(MD) No.1410 of 2018
Date :30/01/2018

PK/RR/SAR-4/02.02.2018 : 3P/5C