



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

Thursday, the Twenty Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1467 of 2018

1 SUSILA
2 SHANMUGASUNDARI

...PETITIONER/ACCUSED NO.2 & 4

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY.
(CRIME NO.29/2017)

... RESPONDENT/ COMPLAINANT

For Petitioners : Mr.J.JEYAKUMARAN Advocate

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

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

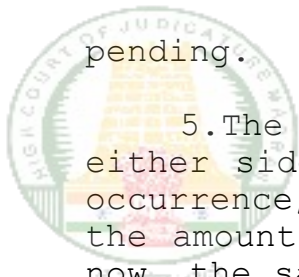
ORDER : The Court Made the following order :-

The petitioners/A2 & A4, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 406 & 420 I.P.C., in Crime No.29 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were running the jewelry shop in the name and style of Rajadeepan Jewelry. They introduced a gold savings scheme to the customers and collected the huge amount from the general public. After that, the collected amounts were misappropriated by the petitioners. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated in this case, further added that they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that the petitioners and other accused persons have collected a sum of Rs.5 crores from 3800 persons and the same was misappropriated by the petitioners. So far, the misappropriated amount was not recovered. According to him, investigation is still



pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, the petitioners and other four accused have collected the amounts to the tune of Rs.5 crores from 3800 persons and as of now, the same has not been repaid by the petitioners to the victims. According to prosecution, the amount which was misappropriated has not been recovered. No doubt, in order to complete the investigation, custodial interrogation of the petitioners is very much necessary. If this type of petitioners are granted anticipatory bail, they may tamper the witness and hamper the investigation. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
22/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

MSA
JAM/CM-VR/SAR 2/02/03/2018 : 2P - 3C

ORDER
IN
CRL OP(MD) No.1467 of 2018
Date :22/02/2018