



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

Tuesday, the Twentieth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.4382 of 2018

S.RAJA GOPAL

... PETITIONER / ACCUSED No.12

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ECONOMIC OFFICE WING, VIRUDHUNAGAR DISTRICT
(CRIME NO.2 OF 2013)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.ANAND 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 :-

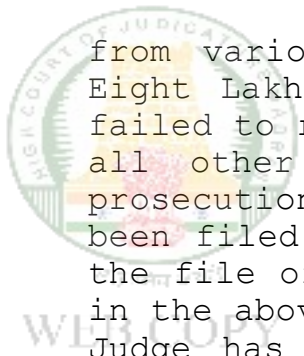
The petitioner, who is arrayed as accused No.12, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 120(b) of IPC and Section 5 of Tamil Nadu Protection of Interest of the Depositors Act, 1997 in Crime No.2 of 2013, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused were running a Chit Fund Company in the name and style of RMWC and by introducing attractive schemes, they have collected money from various depositors, but, failed to repay the capital and profit to the depositors. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.Heard the learned Government Advocate (Criminal Side) appearing for the State.

5.The submissions made by the learned counsel appearing on either side are considered.



from various persons to the tune of Rupees Eleven Crores Thirty Eight Lakhs and Ninety Seven Thousand and subsequently, they have failed to repay the capital and profit to the depositors. As of now, all other accused were granted with bail. According to the prosecution, after completing the investigation, charge sheet has been filed and the same was taken on file in C.C.No. 8 of 2015, on the file of the learned Special Judge for TANPID Cases, Madurai and in the above said proceeding instead of issuing summons, the learned Judge has issued a Non Bailable Warrant, thereby, the petitioner filed the present petition for granting anticipatory bail. In the above said circumstances, the learned Government Advocate (Crl. Side) conceded that the properties which have been possessed by the petitioner was attached in O.A.No. 5 of 2014 and all other accused in this case are regularly appearing before the trial Court. In view of the above, the question of interrogation does not arise. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioner.

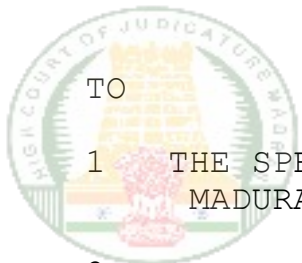
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Judge for TANPID Cases, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall appear before the concerned Court daily at 10.00 am until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
20/03/2018

/ TRUE COPY /

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



TO

1 THE SPECIAL JUDGE FOR TANPID CASES,
MADURAI

2 THE INSPECTOR OF POLICE
ECONOMIC OFFICE WING,
VIRUDHUNAGAR DISTRICT

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

+1. CC to M/S.R.ANAND Advocate SR.No.4449

TRP

JAM/26/03/2018/ CM-VR / SAR 2/ 3P-5C

ORDER

IN

CRL OP(MD) No.4382 of 2018

Date :20/03/2018