

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventh day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.565 of 2020

S.SAMPATH

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VELLORE.

CRIME NO.35 OF 2019.

[RESPONDENT]

For Petitioner : M/S.E.RADHA KRISHNAN Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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 offences under Section 506 (1) of IPC in Crime No.35 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was cheated by two companies, viz., Unitop global Holding Limited and Aquanomia Aquaculture India Private Limited by inducing him to deposit money in their account with false promise that the company will pay double the amount deposited and the defacto complainant invested a sum of Rs.2,60,00,000/- in Unitop global Holding Limited through Bank Accounts and a sum of Rs.4 Crore invested in the Aquanomia Aquaculture India Private Limited and thereafter, the complainant was neither repaid the original amount deposited nor the double the amount. Hence the complaint.

3.The learned counsel for the petitioner would submit the petitioner has not committed any offence as alleged by the prosecution. In fact the petitioner is also an investor in the said companies wherein the 1st Accused introduced himself as Team Head of the company. He neither involved in day to day affairs of the company nor acted as a Director of the company. Accordingly, he prays for grant of anticipatory bail.

4.The Additional Public Prosecutor appearing for State would submit that out of 6 accused, the petitioner is arrayed as A3. The main accused A-1 and A5 have already filed an anticipatory bail petitions before this Court in Crl.OP.No.32683 of 2019 and 105 of 2020 respectively and the petition filed by A1 was dismissed on 11.12.2019 and A-5 was granted anticipatory bail on 07.01.2020. He would further submit that investigation is pending. Hence he opposed for grant of bail to the petitioner/A3.

6.Considering the facts and circumstances of the case and considering the fact that huge amount of money is involved and necessary investigation against accused persons including the petitioner is necessary, I am not inclined to grant anticipatory bail to the petitioner. Accordingly this Criminal Original Petition is dismissed.

-sd/-

07/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VELLORE.

CC to M/S.E.RADHA KRISHNAN Advocate on payment of necessary charges

CRL OP.565/2020

Date :07/02/2020

MK:20/02/2020