

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fourth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3975 of 2020

1 SHANTHI
2 SUSILA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
CHENNAI,
CR.NO.33/2019.

[RESPONDENT]

For Petitioner : M/S.N.V.SARAVANAN Advocate

For Respondent : MR.SARADH DEVI.V Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406 & 420 of IPC, in Crime No.33 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The petitioners are arrayed as A1 and A3 out of 3 accused persons, the main accused/A2 was already arrested, remanded in judicial custody and also enlarged on bail. The case of the prosecution is that the petitioners conducted Deepawalli chit fund and collected huge money from the defacto complaints and others. Thereafter, they did not repay the amount and cheated him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioners are innocent, they did not commit any offences as alleged by the prosecution and the main accused namely A2 has been arrested and enlarged on bail and subsequently the case was transferred to DCB, Tiruvallur and the petitioners have been falsely implicated the case. Since the co-accused has already been released on bail, prayer is made grant of bail to the petitioners as well.

4. Learned Government Advocate (Crl.side) appearing on behalf of the State would submit that the petitioners cheated the defacto

complainant and 50 more persons to the tune of Rs. 1 crore and on an earlier occasion the main accused was arrested and granted bail. The investigation is still pending and if bail is granted there is real possibility of these petitioners committing similar offence and also possibility of absconding and also possibility of tampering with the witnesses and therefore, she prayed for dismissal of the bail application.

5. Considering the facts and circumstances of the case and nature of offence and the amount involved in this crime, which is heinous in nature where custodial interrogation is necessary, I am not inclined to grant bail to the petitioners.

6. For the reasons aforesaid, this Criminal Original Petition stands dismissed.

-sd/-
24/02/2020

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 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
CHENNAI,

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.V.SARAVANAN Advocate on payment of necessary charges

WEB COPY

CRL OP.3975/2020

Date :24/02/2020

RD 05/03/2020