

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.15437 and 16223 of 2020

Pradeep .. Petitioner in Crl.O.P No.15437 of 2020

Nithya .. Petitioner in Crl.O.P No.16223 of 2020

Vs.

State rep. by
The Inspector of Police
Central Crime Branch
Salem City, Salem
Cr.No.10 of 2020)

..Respondent

Common Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.10 of 2020, on the file of the respondent police.

For Petitioner in
Crl.O.P 15437/2020 : Mr.S.Parthasarathy

For Petitioner in
Crl.O.P 16223/2020 : T.Balachandran

For Respondent : Mr.M.Mohamed Riyaz
in both petitions Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 420 and 506(i) of IPC, in Crime No.10 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 to A4 were doing on-line trading business in the name of Ocean Rich and on the false promise of giving Rs.1,666/- per day for Rs.1,00,000/-, the petitioners have collected money to the tune of Rs.7,77,50,000/- from the defacto complainant, other investors and relatives through bank transaction. Thereafter, they cheated the investors. Hence, the complaint.

3. The learned counsel for the petitioner in Crl.O.P No.15437 of 2020 would submit that the petitioner is innocent and he has been falsely implicated in this case based on the confession recorded from one Sugavanam, who was arrayed as A4 in this case and other than that, the petitioner has no connection with the company whatsoever. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the petitioner in Crl.O.P No.16223 of 2020 would submit that this is the second anticipatory bail application and that the petitioner is the relative of the main accused. He would further submit that the main accused A1 was arrested and he has been enlarged on bail and thereby, he would seek anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the accused persons by floating fancy schemes on the inducement that they will repay Rs.1,666/- per day for an amount of Rs.1,00,000/- invested and thereby, several gullible victims have deposited an amount of Rs.7,77,50,000/- and thereafter, the accused cheated the innocent and gullible victims. He would further submit that A1 was arrested and later, he was released on statutory bail. He would further submit that the petitioner in Crl.O.P No.15437 of 2020 is also one of the main accused in running the company. He would further submit that the accused persons have cheated more than Rs.7 crores and no recovery has been made so far.

6. Taking into consideration the facts and circumstances of the case and huge amounts have been cheated by the petitioners and no recovery has been made so far, this Court is inclined is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these two Criminal Original Petitions are dismissed.

-sd/-

09/11/2020

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 INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
SALEM CITY, SALEM.

CC to M/S.S.PARTHASARATHY Advocate on payment of necessary charges Sr.7551

Crl.O.P.No.15437 and 16223 of 2020

Date :09/11/2020

RVR 19/11/2020

<https://hcservices.ecourts.gov.in/hcservices/>