



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

Dated : **23/09/2020**

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL.O.P. (MD) . No.5242 of 2020

1. A.Mayilvahanan
2. A.Umaparvathi
3. S.Sivasunder : Petitioners/Accused Nos.1 to 3

Vs.

The State Rep. by
The Inspector of Police,
City Crime Branch,
Tirunelveli City.
(Crime No.20 of 2020) . : Respondent/Complainant

G.T.Edison : Intervening Petitioner/
Proposed 2nd Respondent
in CrI.MP (MD) No.3271/2020
in CrI.OP (MD) No.5242/2020

1. S.Noble Ratnaraj Thanasekar
2. R.Paulglory : Intervening Petitioners/Victims
in CrI.MP (MD) No.3374/2020
in CrI.OP (MD) No.5242/2020

For Petitioners : Mr.S.Kabilar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (CrI.Side)

For Intervenor : Mr.R.J.Karthick
[CrI.M.P. (MD) No.3271 of 2020]

For Intervenor : Mr.R.Anand
[CrI.M.P. (MD) No.3374 of 2020]

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 438 of Cr.P.C.

PRAYER :-

For Anticipatory bail in Crime No.20 of 2020 on the file of the
respondent police.



ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.20 of 2020 for the offences punishable under Sections 406, 418 and 420 of the Indian Penal Code, the petitioners have come up with the present petition seeking anticipatory bail under Section 438 of the Code of Criminal Procedure.

2. Heard Mr.S.Kabilar, learned counsel for the petitioners, Mr.K.Suyambulinga Bharathi, learned Government Advocate (Criminal side) for the State, Mr.R.J.Karthick, learned counsel appearing for the intervenor [Crl.M.P.(MD)No.3271 of 2020] and also Mr.R.Anand, learned counsel appearing for the intervenors [Crl.M.P.(MD)No.3374 of 2020].

3. Earlier, when the anticipatory bail petition came up for hearing, on the submission of the learned counsel appearing for the petitioners that the petitioners were ready to deposit a sum of Rs.5,00,00,000/- [Rupees Five Crores Only], this Court, vide order dated 10.07.2020, granted interim protection to the petitioners and directed them to deposit the said sum to the credit of Crime No.20 of 2020, before the learned Judicial Magistrate No.1, Tirunelveli, on or before 20.08.2020.

4. Thereafter, the petitioners filed a Criminal Miscellaneous Petition in Crl.M.P.(MD)No.4196 of 2020, seeking extension of time, wherein, this Court, by order dated 27.08.2020, extended the time for another four weeks. Despite this, the petitioners are unable to deposit the said amount. Now, the petitioners seek to modify the order.

5. The allegation in this crime is that the petitioners received a sum of Rs.10,10,00,000/- [Rupees Ten Crores and Ten Lakhs only] from 165 depositors and failed to repay the amount.

6. It is seen that though sufficient time was given to the petitioners to comply with the order passed by this Court dated 10.07.2020, they have not come forward to deposit the amount, instead, they sought time one way or the other. However, considering the gravity of offences, this Court has no other option except to dismiss the petition seeking anticipatory bail. Accordingly, the petition stands dismissed.

sd/-
23/09/2020

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/ /2020

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE No.I, TIRUNELVELI.
2. DO- THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5242 of 2020
Date :23/09/2020

SML
TE/PN/SAR-III : 25/09/2020 : 3P/5C