



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.12312 of 2020

R.Selvam @ Mariya Selvam

... Petitioner/Accused No.3

Vs

State Rep. by its
The Inspector of Police,
Economic Offences Wing,
Trichy District.
(Crime No.1 of 2020)

... Respondent/Complainant

For Petitioner : Mr.N.Anandakumar, Advocate.

For Respondent : Mrs.M.Anandhadevi,
Government Advocate (Crl.Side)

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

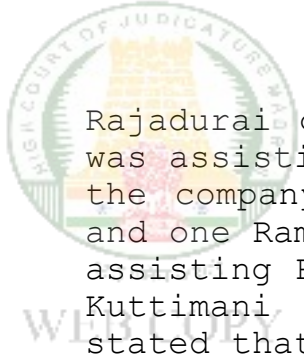
PRAYER :-

For Anticipatory Bail in Crime No.1 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A3, apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 417 and 420 of IPC and Section 5 of Tamilnadu Protection of Interest of Depositors (in Financial Establishment) Act, 1997, and Section 66 of Information Technology Act, 2000, in Crime No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Murugesan of Sangampatti Village, Pudukkottai District gave a complaint before the Assistant Commissioner of Police, Trichy stating that one Karthick belongs to Alavayal Village near Ponnamaravathi, was running a medicals in the name and style of "Singapore Medicals", approached him in the first week of June 2019 and informed him that he has invested in an online business namely BIT 2 BTC stockist and he has earned more from home itself and further informed that one



Rajadurai of Madurai is the owner of the firm and his wife Swetha was assisting Rajadurai and the head office is situated in Delhi and the company was running by Simran Gour and Mandheep Gour in Delhi and one Ramesh is in the post of admin and the petitioner herein was assisting Rajadurai and his wife in the firm and the said Karthick, Kuttamani and Ganesan were working as agents and the further he stated that if Rs.700 equal to 10 dollar is invested Rs.3.50 will be given as commission per day and as such he has earned more based upon his investment and apart from that he can get commission if he joined a new member. Due to which, the defacto complainant gave a sum of Rs.36,40,000/- in total to one Karthick. Thereafter, the defacto complainant has received a sum of Rs.5,25,000/- and remaining a sum of Rs.31,15,000/- was not paid. When the same was questioned by the defacto complainant, he has replied that the said Rajadurai and his wife have closed the firm. Hence, the crime has been registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that since the petitioner was the clerical Staff in the said firm, he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that totally there are 10 accused in this case, in which, the petitioner has been arraigned as A3. She further submitted that the petitioner was working under the first accused. Insofar as the petitioner is concerned, he collected Rs.2,61,39,000/- from the general public. So far the respondent police has received 35 complaints and also expected more complaints from the general public.

5.Considering the facts and circumstances of the case and also considering the nature of allegations and seriousness of the complaint against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

04/11/2020

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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 INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING,
TRICHY DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.12312 of 2020

Date :04/11/2020

VSG

TE/JC/SAR-III : 18/11/2020 : 3P/3C