

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.O.P.Nos.5666 & 5716 of 2020

A. Annadurai

... Petitioner in
both Crl.O.P.s

Vs.

State rep. by
Inspector of Police,
EOW II Coimbatore Police Station,
Coimbatore-641 001.
(Crime No.2 of 2019)

... Respondent in
Crl.O.P.No.5666/2020

State rep. by
Inspector of Police,
CBCID Police Station,
Puducherry-605 501.
(Crime No.9 of 2019)

... Respondent in
Crl.O.P.No.5716/2020

PRAYER in Crl.O.P.No.5666 of 2020: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.2 of 2019, dated 24.04.2019 on the file of E.O.W.-II Coimbatore Police Station, Coimbatore.

PRAYER in Crl.O.P.No.5716 of 2020: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.9 of 2019, dated 11.07.2019 on the file of CBCID Police Station, Puducherry on such terms and conditions.

For Petitioner : Mr.N.K.Mohanlal
in both Crl.O.P.s

For Respondent : Mr.S.Karthikeyan,
in both Crl.O.P.s Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of respondent police for the offence punishable under Sections 120 B, 406, 420 I.P.C. read with Section 5 of TNPID Act in Crime No.2 of 2019 and Sections 406, 420 read with 34 I.P.C. in Crime No. 9 of 2019, seeks

2. The case of the prosecution is that the petitioner along with other accused started a finance company called Mullai Finance and invited deposits under various schemes floated by them like cow and goat growing, farm and organic fertilizers unit, and collected deposits to the tune of more than Rs.12 crores and committed default and failed to repay the amount. Hence, based on the complaint given by the depositors, a criminal case has been registered against the petitioner. Now, apprehending arrest, the present petition has been filed.

3. The learned counsel appearing for petitioner would submit that the petitioner is only employee of the above said company and he is not a partner in the said company. He would submit that he is only receiving monthly salary and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for respondent would submit that the petitioner along with other accused started a finance company and collected deposits for more than Rs.12 crores and committed default. Now, except one accused, all the other accused are absconding. Even the attachment proceedings initiated, in which one property worth about Rs.1 crore has alone seized. The respondent has produced entire case diary. One co-accused was arrested and he has given a confession that the petitioner is also one of the partners of finance company and he is having 20% share in the profit.

5. Taking into consideration of the fact that the petitioner being a partner, along with other accused have collected money from the innocent depositors to the tune of Rs.12 crores and committed default and all the accused are absconding, and also considering the fact that investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petitions are dismissed.

-sd/-

16/03/2021

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,
EOW II COIMBATORE POLICE STATION,
COIMBATORE, PIN-641 001

3 THE INSPECTOR OF POLICE,
CBCID POLICE STATION,
PUDUCHERRY-605 501.

+1CC to M/S.N.K.MOHANLAL Advocate on payment of necessary
charges SR NO.3498, 3499

CRL.OP.NOS.5666 & 5716 OF 2020

Date :16/03/2021

MK:19/03/2021



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