



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24502 of 2021

1 N.MURUGESAN
2 VIJAYALAKSHMI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE.
CR NO.28/2021.

[RESPONDENT]

For Petitioner : M/S.S.SUMATHY Advocate

For Respondent : M/S.A.GOKULAKRISHNAN, Additional Public Prosecutor

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 and 34 of I.P.C, in Crime No.28 of 20201 on the file of the respondent seeks anticipatory bail.

3. The case of the prosecution is that A3 introduced the defacto complainant to the petitioners who were subscribers in M/s.Margadharshi chit funds. It is alleged that the defacto complainant approached the petitioners as she is in need of money and the Father in Law of the defacto complainant is the owner of the property agreed to give is property worth about Rs.1,00,00,000/- as collateral security. While so, the defacto complainant received a sum of Rs.9,00,000/- from the petitioners and subsequently A2 received a sum of Rs.3,00,000/- from the defacto complainant. Thereafter A1 issued two cheque leaves for a sum of Rs.7,00,000/- in favour of the defacto complainant. But both the cheques were returned as "Insufficient Funds".It is further alleged that, without clearing the chit due, the petitioners absconded and thereafter the defacto



complainant's father in law passed away. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

4.The learned counsel for the petitioners submits that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioners.

5.The learned Additional Public Prosecutor submits that more than Rs.3,00,00,000/- was involved and the investigation is at initial stage. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

6. Considering that the investigation is pending and also considering that if the petitioners released on bail they may tamper the evidence. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the same is dismissed.

-sd/-
16/12/2021

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 INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.SUMATHY Advocate on payment of necessary charges

CRL OP.24502/2021

Date :16/12/2021

TA-03/01/2022