



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twentieth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.24993 of 2021

1 DIVYA
2 SENTHIL

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TEAM-VII, EGMORE, CHENNAI
Crime No.209 of 2021

[RESPONDENT]

For Petitioner : M/S V.LOGESWAREN Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

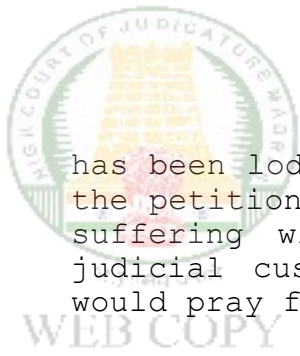
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 29.11.2021 for the offences under Sections 406, 420 and 506(i) of IPC and 76(1) of Chit Funds Act 1982, in Crime No.209 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant had joined in various chit fund schemes conducted by the petitioners who are husband and wife and paid a sum of Rs.15,84,295/- by cash and further he had paid a sum of Rs.21,50,000/- as loan for which, the petitioners had to pay a sum of Rs.37,34,295/- and when the defacto complainant demanded to pay the money, they petitioners had issued cheques. But the same was returned unpaid and the defacto complainant was also threatened by the petitioners. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Admittedly, the petitioners had borrowed money from the defacto complainant and due to Corona pandemic, they were unable to return the same and in order to collect the money, a false complaint



has been lodged against the petitioners. He would further submit that the petitioners have got two school going children and they have been suffering without parental care as the petitioners have been in judicial custody for more than 20 days from 29.11.2021. Hence, he would pray for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would vehemently oppose stating that apart from the defacto complainant, 22 other customers have paid amount in the chit conducted by the petitioners and the petitioners have not repaid the same and that the total chit amount comes to the tune of more than Rs.1 Crore. He would further submit that the investigation has not been completed.

5. On seeing the gravity of offence and the amount involved is more than Rs.1 Crore and that the investigation has not been completed. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

20/12/2021

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 SUPERINTENDENT,
CENTRAL PRISON,PUZHAI, CHENNAI

2 INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TEAM-VII, EGMORE, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE OFFICER INCHARGE,
SUB JAIL, PONNERI.

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

CRL OP.24993/2021

Date :20/12/2021

RVR 04/01/2022