



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.778 of 2021

Sachin Balakrishna ... Petitioner/Accused Rank not known

Vs

1. State Rep by
The Inspector of Police,
City Crime Branch,
Trichy District.
(Crime No.15 of 2017).
2. The Inspector of Police,
Economic Offences Wing,
Trichy District
(Crime No.15/2017)
(Cause Title Amended
Vide Court Order Dated
15/06/2021 made in
Crl.M.P.(MD).No.2089 of
2021 in Crl.O.P.(MD)
No.778 of 2021)

...Respondents/Complainants

For Petitioner : Mr.Sohail,Advocate for
M/s.Ajmal Associates,

For Respondent : Mr.T.Senthil Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.15 of 2017 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
406, 417, 420, 294(b) and 506(ii) I.P.C in Crime No.15 of 2017 on
the file of the respondent police, seeks anticipatory bail.



2.The case of the prosecution is that the petitioner along with others had collected several lakh rupees from several persons promising that they would in turn give gold, equivalent to the money they paid and cheated them, without giving either the gold or the money paid by them. Hence, the complaint.

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3.The learned counsel for the petitioner would submit that the complaint has been lodged as against one Velmurugan and Amaladoss as if they have collected money from various depositors that the money would be repaid by way of jewels. He would further submit that the petitioner was working in a shop namely, Artique Jewellers at Vytilla, Kochi. Due to his personal inconvenience, he resigned his job on 04.06.2013 and the same was also accepted by the Artique Jewellers on 12.06.2013. While so, the petitioner has been unnecessary roped in as an accused.

4.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that the petitioner is one of the owners of the Artique Jewellers, on behalf of Artique Jewellers, a sum of Rs.9,83,436/- have been collected from 95 depositors by the Zonal Managers namely the said Velmurugan and Amaladoss. After the demise of one of the partners, namely Jithumenan, the said Artique Jewellers was closed down and however, the amount had not been repaid to the depositors. He would further submit that the resignation of the petitioner is not an authenticated document which needs to be investigated. According to his instructions, the petitioner is the owner of the Artique Jewellers.

5. Considering the facts and circumstances of the case, the allegations levelled against the petitioner and the fact that the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

6.However, the respondent police is directed to ascertain whether (i) the petitioner is the owner or an employee of the said Artique Jewellers and (ii) the resignation letter placed before this Court is a genuine one or not?.

sd/-
02/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



MSA

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
CITY CRIME BRANCH,
TRICHY DISTRICT.
- 2 THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING,
TRICHY DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1.CCtoM/S.AJMAL ASSOCIATES Advocate SR.No.25162(F) dated 04/08/2021

ORDER
IN
CRL OP(MD) No.778 of 2021
Date :02/08/2021

PKP/JM/SAR-1/17/08/2021/3P/5C