



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2234 of 2021

Sakthi @ Sakthivel

... Petitioner/Accused No.5

Vs

State of Tamil Nadu rep.by
The Inspector of Police,
Economic Offences Wing,
Madurai District.
FIR in Crime No. 1 of 2020.

... Respondent/Complainant

For Petitioner : Mr.P.M.Vishnuvarthanan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.1 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5, who was arrested and remanded to judicial custody on 22.01.2021 for the offences punishable under Sections 406,420,120(b) of IPC and Section 5 of TNPID (F&E) Act, 1997 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with other accused collected huge amount from the innocent public and cheated them. Hence the complaint.

3.The learned counsel for the petitioner would submit that petitioner and his brother who is the fourth accused in this case sold one Innova Car bearing Reg.No. TN 30 AD 3344 to the second accused except this there is no other transaction between A1 to A3. He would also submit that the petitioner is innocent and a false



case has been foisted against him. He would also submit that the petitioner is in jail from 22.01.2021, hence he seeks bail.

4. The learned Government Advocate(Crl.Side) submitted that A2 and A6 were granted bail by the lower court with a condition to deposit Rs.2,00,000/- each and so far they have not deposited the said amount. Further in this case so far 57 complaints have been received and the amount cheated is to the tune of Rs.2 Crores and 80 lakhs. Still complaints are being received by the respondent police, hence he opposed to grant bail to the petitioner.

5. From the perusal of the material it is seen the petitioner along with other accused said to have collected money from the public and cheated them. As regards this petitioner is concerned he only acted as a driver in which the other accused travelled and in fact hire charges were not properly paid by the accused persons and on one such occasion the account of the petitioner has been used for transaction. Further in this case there are totally 2000 depositors and the amount deposited comes around Rs.11 Crores. The accused persons have cheated the innocent public by introducing various schemes and the petitioner has been actively participated with the other accused in the commission of offence and some of the accused persons are yet to be apprehended and attachment of property is yet to be initiated and money has to be recovered, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

16/03/2021

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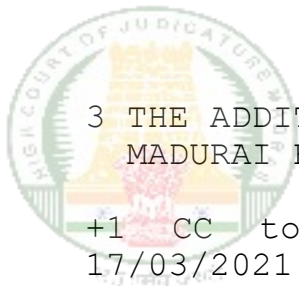
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2.THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING,
MADURAI DISTRICT.



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

+1 CC to Mr.P.M.VISHNUVARTHANAN, Advocate (SR-2189[I] dated
17/03/2021)

WEB COPY

ORDER

IN

CRL OP(MD) No.2234 of 2021

Date :16/03/2021

aav

AE/SMA/SAR-II (19/03/2021) 3P / 5C