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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.4955 of 2021

Seyad Ali

... Petitioner/Accused 2

Vs

The state rep by its
The Inspector of Police,
Economic Offence Wing,
Kanniyakumari District.
Crime No. 1 of 2021

... Respondent/Complainant

For Petitioner : M/s.Balakrishnan.A.,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no. 1 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.2 who apprehends arrest for the offences under Sections 406, 420, 120(b) I.P.C., and Section 5 of TNPID(F&E) Act 1997 and Sections 3, 5 and 21 of Banning Unregulated Deposits Scheme Act 2019, in Crime number 1 of 2021 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side).

3. The learned Counsel for the petitioner/A.2 submitted that this is a false case and the petitioner is no way involved in the alleged offence. He further submitted that A.3 and A.5 had been released on bail by the Special Court.

4. The learned Government Advocate appearing for the respondent submitted that this accused is involving in illegal collection of



deposit and cheated to the tune of Rs.200 Crores and so far as 303 complaints had been received in this case. He further submitted that this petitioner is the important person in the first accused company holding the position of Managing Director and he is a prime accused in this case.

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5. It is seen from the submissions made that the petitioner/A.2 is holding the position of Managing Director of the first accused and the first accused was engaged in collection of deposits from the investors on the promise of providing plots. The defacto complainant is said to have invested a sum of Rs.1,23,000/- and when the defacto complainant is unable to continue the deposit amount, he demanded the money back, but the accused did not pay the amount.

6. Considering the enormity of the amounts collected from various investors and the fact that this petitioner is a prime accused in this case and this case has been registered only on 06.01.2021 and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
16.04.2021

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

SSL

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,
Economic Offence Wing,
Kanyakumari District..
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.BALA KRISHNAN, Advocate (SR-3155[I] dated 17/04/2021)

ORDER IN
CRL OP(MD) No.4955 of 2021
Date : 16/04/2021