



WEB COPY

(In Crime No.2 of 2021).

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.9369 and 9919 of 2021

1 R.Prabakaran
2 Anandavalli ... Petitioners / Accused Nos.2 and 3
in Crl.O.P.(MD)No.9369 of 2021
1 Sathiyapandian @ Sathiyalingam
2 Shanthoshini
3 Janisi @ Janisirani ... Petitioners/Accused 4 TO 6
in Crl.O.P.(MD)No.9919 of 2021

Vs

The State Represented By,
The Inspector Of Police,
Economic Offences Wing - II,
Madurai.

(IN Crime No.2 OF 2021) ... Respondent / Complainant
(in both Crl.O.Ps)

For Petitioner : Mr.K.S.Prakash, Advocate for
(in both Crl.O.Ps) Mr.M.Venkatesan, Advocate.

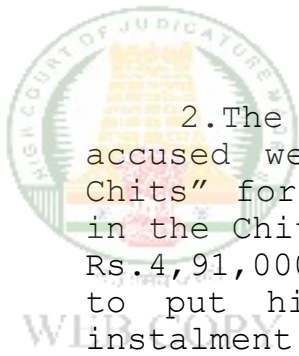
For Respondent : Mr.E.Antony Sahaya Prabahar,
(in both Crl.O.Ps) Additional Public Prosecutor

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

COMMON PRAYER :- For Anticipatory Bail in Crime.No.2 of 2021 on the
file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections
406, 420, 120(B) of IPC and Section 5 of the TNPID (F & E) Act,
1997, in Crime No.2 of 2021, seek anticipatory bail.



2.The prosecution case is that the petitioners along with other accused were running Chit Funds in the name of "Sathya Pandian Chits" for the past 8 years, so many persons in the area deposited in the Chit Fund believing their words. The defacto complainant paid Rs.4,91,000/- in 19 instalments and the first petitioner herein used to put his signature in the Chit Card as a receipt for the instalment. When the defacto complainant claimed the maturity amount, petitioner gave evasive reply and threatened the defacto complainant. Hence the complaint.

3.Learned Counsel for the petitioners submits that the petitioners are innocents persons and they have not committed any offence as alleged by the prosecution, but, a false case has been foisted as against them. He would further submit that the second petitioner's sister namely Angammal is the person who runs the chit fund and she used to visit the second petitioner's house frequently and thereby the wife of the defacto complainant acquainted with Angammal and joined in the chit fund run by Angammal and subsequently, due to financial difficulty, the said Angammal could not repay the money in time and the defacto complainant started harassing the petitioners herein, for which the petitioners offered a land owned by second petitioner situated in Tharapatti Village in Survey No.819 to an extent of 3 ½ cents and the same was accepted by the defacto complainant in the year 2017 itself and the defacto complainant informed the petitioners that he would arrange amount for registration charges and later he would register the said sale and now strangely all of sudden the defacto complainant demanded the money from the petitioners instead of the land.

4.Learned Additional Public Prosecutor appearing for the respondent police submitted that as on date, several complaints have been registered against the petitioners and they have cheated to the tune of Rs.18,23,000/-. He would further submit that the investigation is yet to be completed.

5.This application for anticipatory bail was filed before this Court on 12.07.2021 and it is pending before this Court for the past 2 months. On the earlier occasion, after arguments, the learned counsel for the petitioners made a submission that the the petitioners are ready to settle the entire amount to the defacto complainant, but as on date, the petitioners did not settle the amount.

6.It is seen from the records, within two months, the petitioners have changed their counsel three times. Even today, the learned counsel for the petitioners would submit that the defacto complainant is not cooperating for the enquiry.

7. Considering the conduct, attitude and the antecedents of the petitioners and also the fact that the investigation is at the service courts and the custodial interrogation of the petitioner is



(In Crime No.2 of 2021).

essential, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/09/2021

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/ /2021

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 INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING - II,
MADURAI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD). Nos.9369 and 9919 of 2021
Date :30/09/2021

VRN
MS/PN/SAR-1/24.11.2021/3P.3C