



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.13378 of 2021

Uma Maheshwari

...Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Economic Offence Wing, Trichy District.
In Crime No.2 of 2021. ... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony, Advocate.

For Respondent : Mr.T.Senthilkumar
Additional Public Prosecutor.

For Intervenor : Mr.T.Lenin Kumar, Advocate.

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

PRAYER :-For Bail in Crime No.2 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 who was arrested on 03.08.2021, for the offence punishable under Sections 406, 420 and 120(b) I.P.C r/w Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, in Crime No.2 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that by inducing the defacto complainant and others, the petitioner and other accused have collected huge amount from the public with an assurance that within 60 days, they would repay double the amount deposited by them. They have also issued the receipts in the name of Apex Capital Solution and cheated them. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution.

4.The learned Counsel appearing for the defacto complainant has enclosed the receipts issued by the accused nos.1 and 2 and submitted that they are running the Company in the name and style of Apex Capital Solution, Chinthamani Bazar, Trichy and have received money from various persons including the defacto complainant with an



assurance that the payment made by depositors would be payable in 30 days and receipts were also issued for the same.

5. In the earlier occasion, the learned counsel for the petitioner submitted that the accused persons have collected money and the same was invested in the share market and the petitioner is ready to co-operate with the investigating agency and try to find a solution to settle the amount to the depositors. Considering the submission made on behalf of the petitioner, this Court by order dated 13.09.2021, granted interim bail to the petitioner enabling her to appear before the respondent police and co-operate with the investigation.

6. The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that though this petitioner has availed interim bail from this Court, she did not co-operate with the enquiry and as per order of this Court, she surrendered before the concerned prison on 03.10.2021.

7. Though the petitioner has surrendered before the concerned prison in time, considering the nature of offence committed by the petitioner and the non co-operation with the investigating agency, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
04/10/2021

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

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, TRICHY.

2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL OP (MD) No.13378 of 2021
Date : 04/10/2021