



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

Date : 12/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.16008 of 2020

Sundaresan

... Petitioner/Accused Rank No.5

Vs

The State rep.by
The Inspector of Police,
Economic Offences Wing-II,
Madurai, Madurai District.
Crime No.5 of 2020.

... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime No.5 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A5, apprehending arrest at that hands of the respondent Police, for the offence under Sections 406, 420 and 120(b) of IPC and Section 5 of Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act, 1997, in Crime No.5 of 2020, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A5 is the Public Relation Officer. A3 and A4 are the Directors of Greentech Distributors Pvt. Limited and G. Care, viz., A1 and A2. The petitioner along with other accused said to have conducted meeting and cheated the public money. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police.



4.The learned counsel appearing for the petitioner submitted that the petitioner is a MBA graduate, who had experienced in marketing and he is one of the advisor and he has given advise to the prospective client and also given advise to the other accused persons in this case. That apart, the petitioner has no way connected with the alleged occurrence. He further submitted that the petitioner and his wife have also invested a sum of Rs.1 lakh and they have been lost his money and they have been cheated by the accused person. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that A1 and A2 are the companies and A3 and A4 are the directors and A5 is the Public Relation Officer, petitioner herein. The petitioner herein and other accused were together conducted multilevel marketing business. The petitioner being MBA graduate and well educated and approached A3 and A4 and conducted meeting and collected a public money and cheated them. Thereafter, the cheated money have been deposited in abroad. After the investigation, A3 has been arrested and given confession statement stating that in this case, the active role was played by A4 and A5. Hence, he opposed this petition.

6.Considering the facts and circumstances of the case and also considering the fact that if the petitioner released on bail, he will fly from the country, this Court is not inclined to grant anticipatory bail to the petitioner.

7.At this juncture, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect.

8.In view of the same, this Criminal Original Petition is dismissed as withdrawn.

sd/-
12/02/2021

/ TRUE COPY /

/ /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, MADURAI DISTRICT.

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

+1 CC to Mr.R.J.KARTHICK, Advocate (SR-992[I] dated 15/02/2021)

ORDER

IN

CRL OP(MD) No.16008 of 2020

Date :12/02/2021

VSG

TK/PN/SAR.2/17.02.2021/3P/4C