



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.11.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP (MD) .Nos.17438, 17439, 17440, 17441, 17442, 17443, 17444, 17445, 17446, 17447 and 17448 of 2021

Srikanth ... Petitioner/ Accused Rank Not Known
in CRL OP (MD) No.17438 of 2021

Srikanth ... Petitioner/ Accused No.4
in CRL OP (MD) Nos.17439,17440,17441,
17442,17443,17444,17445, 17446,17447,
17448 of 2021

- Vs-

1.The State Rep.by
The Inspector of Police,
DCB, Thanjavur,
Thanjavur District.
(Crime Nos.22,48,49,50,51,52,53,54,
55,56,59 of 2021)

2.The State Rep.by
The Inspector of Police,
(*)**EOW-II, Trichy.**

... Respondent/Complainant
in all petitions

In all petitions:

For Petitioner : Mr.Ajmalkhan
Senior Counsel
for M/s.Ajmal Associates
Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

COMMON PRAYER :-

For Bail in Crime Nos.22, 48, 49, 50, 51, 52, 53, 54, 55, 56
and 59 of 2021 respectively on the file of the respondent police.

<https://hcservices.ecourts.gov.in/hcservices/>



COMMON ORDER : The Court made the following order :-

The petitioner, who was remanded to judicial custody on 18.08.2021, for the offences punishable under Sections 406 and 420 IPC in connection with the cases in Crime Nos.48 to 56 of 2021, for the offences punishable under Sections 406, 420 and 506(i) IPC in connection with the case in Crime No.22 of 2021 and also for the offences punishable under Sections 406, 420, 120B and 506(i) IPC in connection with the case in Crime No.59 of 2021, seeks bail in all these cases.

2. The case of the prosecution is that the first accused, namely, M.R.Ganesh has been engaging in the business under the name and style of KCL Milk Diary and also running a financial company at Kumbakonam. The petitioner along with other persons had induced the de-facto complainants to invest their money in the said financial concern on various schemes, such as, Daily Income Scheme, Money Rotation Scheme and Gold Reward Scheme. On believing their words, the de-facto complainants had invested their money in the above said financial concern on various schemes. After the lapse of maturity period, A1 had failed to repay the money to the defacto complainant and also abused them in filthy language and threatened with dire consequences. Hence, the complaint.

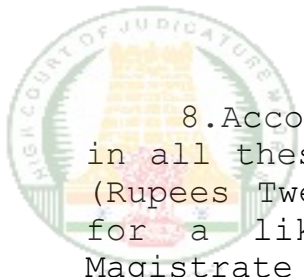
3. The learned Senior Counsel for the petitioner would submit that the petitioner is an innocent and he has not cheated any persons at any point of time. Totally, there are 13 cases. Out of 13 cases, the petitioner was granted statutory bail in two cases and for the remaining 11 cases, these petitions have been filed before this Court seeking bail.

4.The learned Additional Public Prosecutor would submit that originally, the case was registered by the first respondent police and now, the case is transferred to the second respondent police and Section 5 of TNP Act was also added. Admittedly, the petitioner was arrested on 21.07.2021 in connection with the case in Crime No.18 of 2021 and he was remanded in these case on P.T. Warrant on 18.08.2021.

5.The learned Additional Public Prosecutor would fairly concede the submission made by the learned Senior Counsel that the maximum punishment for the offences alleged against the petitioner is ten years and that, therefore, the petitioner is entitled the statutory bail, since, the charge sheets have not been laid sofar.

6.It is also not in dispute that the third accused was already granted anticipatory bail by this Court and A5 to A10 were already enlarged on bail by this Court.

7.Considering the above facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.



8. Accordingly, the petitioner is ordered to be released on bail in all these cases on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two **(common)** sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.I, Kumbakonam.

WEB COPY

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the second respondent police daily at 10.30 a.m for a period of one month and thereafter as and when required for interrogation;

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

11/11/2021

(*) Corrected as per order of this Court dated 01/12/2021 in CRL MP(MD)Nos.10491, 10492, 10493, 10494, 10495, 10496, 10497, 10498, 10499, 10500 AND 10501/2021 in CRL OP(MD)No.17438, 17439, 17440, 17441, 17442, 17443, 17444, 17445, 17446, 17447 AND 17448 OF 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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO BE SUBSTITUTED WITH THE ORDER DATED 11/11/2021 ALREADY DESPATCHED.

TO

WEB COPY

1. THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT,CENTRAL PRISON,
TRICHY.
4. THE INSPECTOR OF POLICE,
DCB, THANJAVUR,
THANJAVUR DISTRICT.
5. THE INSPECTOR OF POLICE,
(*)EOW-II, TRICHY.
6. THE INSPECTOR OF POLICE,
ECONOMICS OFFENCE WING, (EOW),
CHENNAI.
7. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+11 C.C. MR.R.KARTHICK KUMAR, ADVOCATE, S.R.NO.8676, 8677, 8678, 8679, 8680, 8681, 8682, 8683, 8684, 8685, 8686.

ORDER IN

CRL OP(MD).Nos.17438, 17439, 17440,
17441, 17442, 17443, 17444, 17445,
17446, 17447 and 17448 of 2021

Date :11/11/2021

SJI

MS/JM/SAR-2/11.11.2021/4P.7C

USK/PN/SAR-II/07.12.2021/4P-19C.