

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8400 OF 2022

***Gunasekharan Murugan &
Another***

....

Petitioners

Mr.P. Mukherji, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.Sarthak Nayak,
Special P.P (CBI)

Mr.Samresh Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
28.11.2022**

Order No.

- 04.
1. This matter is taken up by hybrid arranged (virtual/physical) mode.
 2. The Petitioners, having been implicated in connection with Chamakhandi P.S. Case No.93(4) of 2011 corresponding to G.R. Case No.367 of 2011 pending on the file of learned Chief Judicial Magistrate, Ganjam, Berhampur, running for alleged commission of offence under Section 120-B/420/408/468/471/34 of the IPC read with section 4/5/6 of PC & M.C. (Banning), Act, have filed this application under Section-438 of the Cr.P.C. for their release on bail in the event of arrest.
 3. Heard learned counsel for the parties.

4. Considering the submissions and taking into account the role of the Petitioners in the said commission of the economic offence as those emanate from the materials on record and its ramification on all fronts and further keeping in view the surrounding circumstances including the plight and sufferings of innocent depositors who have been deprived of their hard earned money being trapped under the net of allurements and tall promises; while being not inclined to grant of anticipatory bail to the Petitioners, this application is disposed of with the observation that in the event the Petitioners surrender before the court in seisin of the aforesaid case and move for their release on bail, the same shall be considered on its own merit and disposed of early in accordance with law without being prejudiced by this order.

The interim order dated 28.07.2022 does no more survive to operate in the field.

Issue urgent certified copy of this order on proper application.

**(D. Dash),
Judge.**