

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.665 OF 2022

Vijay Visvanathan S/o Ayyasamy Visvanathan .Vs. State of Maharashtra, through
P.S.O., P.S. Ramnagar, Tq. Wardha, Dist. Wardha.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.I. Jain, Advocate for the applicant.

Shri N.R. Rode, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 29/11/2022

1. Heard.

2. The applicant is seeking pre-arrest bail in Crime No.20 of 2017, registered with Police Station: Ramnagar, District: Wardha, for the offences punishable under Sections 406, 409, 420, 120-B read with Section 34 of the Indian Penal Code, Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (Financial Establishment) Act and Sections 3, 4, 5 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 read with Sections 21, 22, 23, 24 and 25 of the Banning of Unregulated Deposit Schemes Act, 2019.

3. It is alleged that, after promising handsome returns by the company namely Maitreya Plotters and Structures Pvt. Ltd., the informant invested the amount however, the company failed to keep his promise.

4. The applicant is the Chartered Accountant of the company. He was provided services to the said company for the financial year 2014-15. Thus, it is the case of the applicant that he is no way connected with the alleged offence.

5. In the reply, the Investigating Officer (IO) has expressed his satisfaction about the co-operation extended by the applicant in investigation. In the circumstances, I am of the opinion that, custodial interrogation of the applicant is not necessary, particularly, on a statement of learned counsel for the applicant that the applicant will continue to co-operate the Investigating Officer in investigation. In that view of the matter, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.20 of 2017, registered with Police Station: Ramnagar, District: Wardha, for the offences punishable under Sections 406, 409, 420, 120-B read with Section 34 of the Indian Penal Code, Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (Financial Establishment) Act and Sections 3, 4, 5 and 6 of the Prize Chits and Money

Circulation Scheme (Banning) Act, 1978 read with Sections 21, 22, 23, 24 and 25 of the Banning of Unregulated Deposit Schemes Act, 2019, the applicant shall be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when his present is required.

The criminal application is **disposed of** accordingly.

JUDGE