



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.320 of 2022

R.Devi

... Petitioner

Versus

The Inspector of Police,
Economic Offence Wing-II,
Namakkal District.
(Crime No.1 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in Crime No.1 of 2019 on the file of the respondent police.

For Petitioner : Mr.V.Karthikeyan

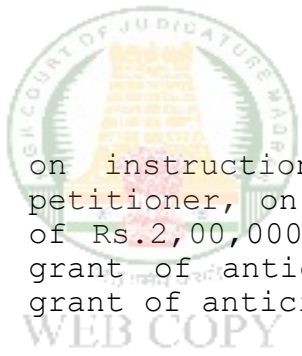
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 120B and 420 of IPC, Section 5 of TN Protection of Interest of Depositors (In Financial Establishment) Act, 1997 r/w Section 3,4,5 and 21 of Unregulated Deposit Schemes Ordinance Act, 2019, in Crime No.1 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant by seeing advertisement in the local channel invested money in Money Deal Trading Solutions Company valued Rs.12,57,000/-, whereas for the same, the defacto complainant received as bonus for Rs.6,39,959/-. Thereafter, the petitioner along with other accused persons had cheated the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However,



on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to deposit a sum of Rs.2,00,000/- to the credit of crime number. Hence, he prays for grant of anticipatory bail to the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner and other accused had cheated the defacto complainant. He further submits that the co-accused were released on bail and the investigation is still pending. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the submission made by the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judge, TANPID Court, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.1 of 2019 before the learned Judge, TANPID Court, Coimbatore, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner is directed to appear before respondent police on every Wednesday at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
07/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDGE,
TANPID COURT, COIMBATORE.

2 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING II,
NAMAKKAL DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.414

CRL OP.320/2022

Date :07/01/2022

JPA 12/01/2022