IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11430 of 2022

R.ARUN KUMAR [PETITIONER / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
THE DEPUTY SUPERINTENDENT OF POLICE,
EOW-2, COIMBATORE.
CR.NO.1 OF 2022.

For Petitioner : M/S.V.P.SENGOTTUVEL Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120B, 406, 420 of IPC & Section 5 of The Tamil Nadu Protection of Interest Depositors (in Financial Establishment) Act, 1997, in Crime No.1 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons have collected a sum of Rs.154 crores from 358 victims in the name of deposit and failed to return the same after maturity. From the total 10 accused in which the petitioner is arrayed as A7.

3. The learned counsel for the petitioner submitted that the petitioner is only an employee under A4 and A5 and he never collected any money from the general public as alleged by the prosecution. Even as per the complaint, he had visited the office of A4 and A5 on 17.01.2019 and he made his investment on 01.05.2019 and he received a sum of Rs. 1,80,000 to 10 months. There is absolutely no allegation as the petitioner exhibited the money with the petitioner as mentioned in the office of A4 and A5 visited and deposited the money. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has opened a separate account as he is the proprietor of A1 and A2 (namely Alpha Education) in the account number 1697135000005870 with the Karur Vysya Bank and transferred huge amount. He also transferred amount with the same bank (namely Karur Vysya Bank) and huge money were transferred. Thereafter, on the request of the respondent, all the accounts opened by the petitioner were freezed and the investigation is pending.

5. In view of the above, the petitioner is the proprietor of A2 and he opened accounts in the name of Alpha Education as well as in his personal capacity. He had transaction with huge amounts collected from the general public. Therefore, the custodial interrogation of the petitioner is very much essential in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
18/05/2022

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 DEPUTY SUPERINTENDENT OF POLICE,
EOW-2, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.P.SENGOTTUVEL Advocate on payment of necessary charges

CRL OP.11430/2022

Date :18/05/2022

RVR 26/05/2022