



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Sixteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.12077 of 2022

1 VIJAYAKUMAR
2 SHANUMUGA PRIYA

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ECNOMICS OFFENCE WING-II,
CHENNAI. CRIME NO.29 OF 2021

[RESPONDENT]

For Petitioner : M/S C.EMALIAS Advocate
For M/S. T. SHUNMUGARAJESWARAN Advocate

For Respondent : MR.R.KISHORE KUMAR, Govt. Advocate (CrI. Side)

For Intervenor : M/S K.THENRAJAN Advocate

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 120(b) of IPC and 76(1) of The Chit Fund Act 1982 in Crime No.29 of 2021, on the file of the respondent police, seek anticipatory bail.

2. This is the third anticipatory bail application was filed before this Court. The case of the prosecution is that the petitioners have received money for conducting chit and subsequently the said amount was not repaid to the defacto complainant and other subscribers. Despite repeated requests made by the defacto complainant, the petitioners have not paid the money and abused the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready and willing to settle the entire dues to the depositors and in fact, they entered into an agreement for sale in respect of some properties with third parties. However, some advocate



illegally entered into a sale deed in their favour. Therefore, the petitioners could not able to settle the depositors. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that earlier applications were dismissed by this Court in Crl.O.P.Nos.22760 and 24392 of 2021 and there is no change of circumstances. He further submitted that the investigation is at initial stage. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the Intervenor/defacto complainant submitted that the petitioners had received the money from the defacto complainant and subsequently, the said amount was not repaid. He further submitted that the investigation is still pending. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also the fact that the petitioners are involved in a very serious offence and earlier applications were dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/06/2022

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 INSPECTOR OF POLICE,
ECONOMICS OFFENCE WING-II, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. T. SHUNMUGARAJESWARAN Advocate on payment of necessary charges

CRL OP.12077/2022

Date :16/06/2022

RVR 28/06/2022