



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Reserved on : 28.02.2022
Delivered on : 02.03.2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.3321 of 2022

Peter Raja

...Petitioner/ Accused No.15

vs.

The State represented by its
The Inspector of Police,
District Crime Branch Police Station,
Sivagangai.
(Crime No.2 of 2022)

... Respondent/Complainant

Hemalatha

... Petitioner/Intervener/Defacto Complainant

For Petitioner : Mr.VR.Shanmuganathan,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl. Side).

For Intervenor : Mr.S.Marshall,
Advocate.

PETITION FOR BAIL Under Section 439 of Cr.P.C.

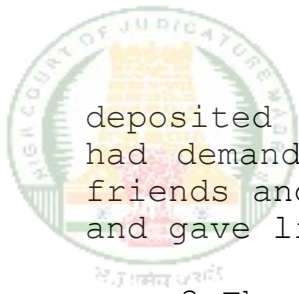
PRAYER :-

For Bail in Crime No.2 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.15, who was arrested and remanded to judicial custody on 28.01.2022 for the offences punishable under Sections 406, 468, 471, 420, 120B, 294(b) and 506(1) IPC, in Crime No.2 of 2022, seeks bail.

2.The case of the prosecution is that the petitioner is a Headmaster in Ramanatha Chettiyar Government Higher Secondary School, Karaikudi, that the petitioner had organized many meetings for the Sparrow Global Trade owned by the first accused to raise investments, that the intervenor was also invited to one of such meeting, in which, many attractive real estate schemes were introduced by the company and was canvassed by the petitioner, that believing the words of the accused, the intervenor had invested a sum of Rs.6,00,000/- initially, later used to deposit money periodically through cash and also in bank accounts, that the intervenor has also advised her friends and relatives and altogether



deposited a sum of Rs.12,44,22,700/- and that when the intervenor had demanded back the amount invested by herself and also by her friends and relatives, the accused had abused her in filthy language and gave life threat. Hence, the complaint.

3.The case of the petitioner is that he is also a victim of the said prime accused persons, that when he joined the said school in 2013, there were 218 students and the manner, in which, the petitioner had developed the school has made the school to have the strength of 1875 students, that the petitioner had won Dr.Radhakrishnan award from the Government of Tamilnadu, that the Government of India has also selected him to lead Tamilnadu in various programmes, that his wife is also a Headmistress in high school and both are income tax assesses and that the contentions of the complainant/intervenor, who is also a teacher, had invested crores of rupees is quite unbelievable.

4.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner did not gain anything wrongfully and there was no entrustment to him, that the intervenor has filed the above complaint falsely implicating the petitioner, that the petitioner is a chronic diabetic and is in judicial custody from 28.01.2022 and that therefore, the petitioner may be enlarged on bail.

5.The learned counsel for the intervenor would submit that the petitioner alone had organized the meetings and canvassed the investors, that since the petitioner is a Headmaster of a school, believing his words the intervenor and others had invested and that therefore the accused persons including the petitioner are not entitled to any relief.

6.The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused have not repaid any amount and that investigation is pending.

7.The learned counsel for the petitioner would submit that all other accused have been granted interim bail by the learned Principal Sessions Judge and produced the copy of the order passed in Crl.M.P.No.462 of 2022 dated 16.02.2022.

8.It is evident from the said order that the learned Principal Sessions Judge, by referring the serious objections of the learned Public Prosecutor that investigation is at initial stage and huge amount was involved, but considering the order passed by this Court, in Crl.O.P.(MD)No.14139 of 2021 dated 08.10.2021, directing the complainant and other investors to submit their demand before the commission formed under the Chairmanship of Hon'ble Justice S.Rajeswaran (Retired) to get appropriate reliefs, was inclined to grant interim bail for four weeks.



9.It is not in dispute that the intervenor/defacto complainant has filed an application for cancellation of the said bail and the same is pending in Crl.O.P.(MD)No.3687 of 2022 before this Court.

10.Considering the seriousness and gravity of the offence alleged and also the quantum of amount involved and that investigation is pending, this Court is not inclined to grant bail to the petitioner at this point of time.

11.In the result, this Criminal Original Petition is dismissed.
sd/-

02/03/2022

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH POLICE STATION,
SIVAGANGAI.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL,
RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SHANMUGANATHAN VR. Advocate SR.No.1660

ORDER

IN

CRL OP(MD) No.3321 of 2022

Date :02/03/2022

SS/PN/SAR:IV/08.03.2022 : 3P/5C