



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8617 of 2022

D.Anandhan @ Anand

... Petitioner/Accused No.7

Vs

The State rep.by
The Sub Inspector of Police,
Madurai EOW Police Station,
Madurai District.
Crime No. 8/2016.

... Respondent/Complainant

For Petitioner : M/s.ARUMUGAM C M,
Advocate.

For Respondent : Mr.B.NAMBI SELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.8 of 2016 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.7, who was arrested and remanded judicial custody on 16.03.2022 for the offences punishable under Sections 406, 420, 120(b) IPC and Section 5 of Tamilnadu Protection of Interest of Depositors (in Financial Establishment) Act 1997, in Crime No.8 of 2016, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that first accused and others commenced a financial institution namely Madurai Rural Development Benefit Fund India Limited (MRDT) and they said to have collected deposits from general public in the name of various schemes. As per the allegation, the petitioner is working as Manager of the first accused company. Thereafter, they failed to return the deposit amount to the general public and also to the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He also submits that the alleged occurrence happened in the year 2016 and some of the accused were arrested and released on bail.

4.The learned Additional Public Prosecutor appearing for the respondent raised objection stating that the petitioner along with



other accused cheated thousand members of customer and still some of the accused yet to be secured.

5.As pointed out by the petitioner's counsel, the occurrence happened in the year 2016 and as per the allegation of the FIR, the petitioner is working as Manager of the company. Further more, 2016 onwards the dispute arose and an FIR was registered, but till date, the investigation is pending.

6.considering the facts and circumstances of the case and also considering the nature of charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Special District Judge (TNPID Court), Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

sd/-
19/05/2022

/ TRUE COPY /

19/05/2022
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.

<https://hcservices.ecourts.gov.in/hcservices/>



TO

- 1 THE SPECIAL DISTRICT JUDGE
(TNPID COUR), MADURAI.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE SUB INSPECTOR OF POLICE,
MADURAI EOW POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8617 of 2022

Date :19/05/2022

SA/JM/SAR.3/19.05.2022/3P/5C