



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 03/01/2022  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD). No.11827 of 2021

Palanisamy

... Petitioner/Accused No.2

**Vs**

The State Rep.by  
The Inspector of Police,  
Economic Offence Wing,  
Trichy, Trichy District  
(Crime No. 1 of 2021)  
**(Respondent Suo Motu Impleaded  
by Deleting the Earlier  
Respondent as Per Order of this  
Hon`ble Court dated 09.12.2021  
in Crl.OP(MD)No.11827/2021.)**

... Respondent/Complainant

For Petitioner : Mr.G.BALUMAHENDRAN, Advocate.  
For Respondent : Mr.RMS.SETHURAMAN,  
Additional Public Prosecutor

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

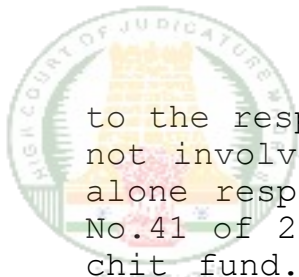
**PRAYER :-** For Anticipatory Bail in Crime No. 1 of 2021 on the file of the respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/Accused No.2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 294(b) & 506(i) of I.P.C., in Crime No.1 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused conducted Auctioning Chit Fund in the Trichy District and the defacto complainant also paid amount in the Chit Fund and also the petitioner and his family members jointly collected approximately a sum of Rs.2.5 Crores from the defacto complainant and others and thereafter when the defacto complainant asked to return back his money, they scolded with filthy languages and intimidated with dire consequences.

3.The learned counsel for the petitioner submitted that the petitioner is in no way connected with the above case. He has also produced the copy of the letter that was written by this petitioner



to the respondent herein, wherein, it has been stated that they were not involved in the above said conduction of the chit. The A1 Mani alone responsible for that. Only when the A1 was arrested in crime No.41 of 2019, he came to know about the conduction and cheating of chit fund. It is also seen that on 08.06.2020, some subscribers came to the petitioner's shop and asking them to collect the money from A1 Mani, which is due to payable to them and handed over the same to them and they also assaulted the petitioner and his sons. Due which petitioner's son sustained injuries and took treatment from the hospital and on hearing the news petitioner's wife died. Hence, the petitioner's son Chitravel gave a complaint before the Kottai Police station and a case has also been registered in Crime No.460/2020 for the offences punishable under Sections 294(b), 448, 324 & 506(ii) IPC against three named accused. The learned counsel further submitted that demanding to not pursue the above FIR, this present complaint came to be given and the FIR has been registered as if this petitioner also joined along with A1 and cheated the money.

4.The learned Additional Public Prosecutor submitted that totally there are 8 accused involved in this case. All the family members joint together and cheated the amount to the tune of Rs.3.5 Crores. The A1 in this case has been arrested and released on bail by the concerned Magistrate.

5. Considering the nature of allegations against the petitioner and the main accused A1 in this case has been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Trichy, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

03/01/2022

/ TRUE COPY /

/ /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.

**TO**

- 1 THE JUDICIAL MAGISTRATE NO.I  
TRICHY.
- 2 DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE  
ECONOMIC OFFENCE WING,  
TRICHY, TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**ORDER**

**IN**

CRL OP(MD) No.11827 of 2021  
Date :03/01/2022

TM

SA/JC/SAR.4/06.01.2022/3P/5C