



WEB COPY

CRL OP(MD). N



21

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Reserved on : 06.09.2022

Delivered on : 08/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.17974 of 2021

Nandakumar, ... Petitioner/Accused No.4

Vs.

State Rep.by
The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
Cr.No.340 of 2021.

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No.340 of 2021 on the file of the Respondent police.

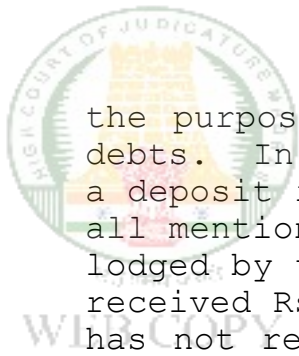
ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 IPC, in Crime No. 340 of 2021, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner and others were running a Chit fund in the name of "Star Finance " to induce the defacto complainant and others to invest their money in the Finance Company, offer more interest. Believing that words, the defacto complainant gave Rs.55,00,000/- to the petitioner and others, but, they failed to repay the principal and interest to the defacto complainant. A case in Crime No.340 of 2021, was registered against the petitioner.

3. On the side of the petitioner, it is stated that the petitioner is A4 in the case. A1 and A2 are husband and wife. For the same issue, the defacto complainant lodged a complaint before the Superintendent of Police, Virudhunagar, on 19.04.2021, wherein, it was mentioned that the first accused borrowed Rs.47,50,000/- for

<https://www.mhwa.gov.in/dls>



the purpose of constructing a house and to settle his mis is debts. In that complaint, it was not mentioned that the payment was a deposit in the chit funds. The name of this petitioner was not at all mentioned in the earlier complaint. Only in the second complaint lodged by the defacto complainant, it was mentioned that the accused received Rs.55,00,000/- as investment for chit fund. The petitioner has not received any amount from the defacto complainant or others as alleged in the F.I.R. The petitioner is a Mechanical Engineer, who completed B.E. Course in the year 2018 and he worked in a private company up to 30.12.2019. He was never attached with the chit fund Company. The petitioner is no way connected with the prosecution case. A2 was already arrested and released on bail by the Judicial Magistrate No.II, Sivakasi and prayed the petitioner to be released on bail.

4. On the side of the prosecution, it is stated that the petitioner is A4 in the case, he is the sister's son of A1. From 36 victims approximately a sum of Rupees 7 Crores was collected by the accused. In the case, A2 was arrested and then after expiry of 62 days, he was released on bail. The case was transferred to District Crime Branch and prayed the petition to be dismissed.

5. It is seen that the number of persons were affected in the occurrence. It is stated that the defacto complainant has deposited a huge sum of money with the accused in this case. Co-accused was released on bail after incarceration for a period of 62 days, hence, this Court is not inclined to release the petitioner on bail.

6. Hence, this petition is dismissed.

sd/-

08/09/2022

/ TRUE COPY /

/09/2022

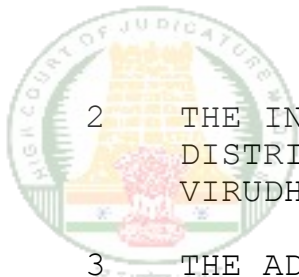
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

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
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.



2 THE INSEPCTOR OF POLICE
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

ORDER

IN

CRL OP(MD) No.17974 of 2021

Date :08/09/2022

Ls

PKP/SVR/SAR-4/15.09.2022/3P/4C