

Crl.O.P.No.10185 of 2023

WEB COPY K.KUMARESH BABU, J.

The petitioner who apprehends arrest for the alleged offence under Sections 120 B, 420 IPC read with Sec. 5 of TNPID Act, 1997 read with Section 3, 5 and 21 of Banning of Un-Regulated Deposits Scheme Act, 2019 in Cr.No.1 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused were running a financial company collecting deposit from investors to the tune of Rs.7 Crores and failed to repay the amount. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that A8, A9 and A11 had already been released on bail by this Court in Crl.O.P.Nos.8267 and 8255 of 2023 and Crl.O.P.No.8907 of 2023. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that the petitioner along with the other accused have cheated the defacto



complainant and other investors by collecting deposit from them to the tune of Rs.7 Crores and failed to repay the amount. He further submitted that investigation is pending and also that no property has been recovered. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that considering that A8, A9 and A11 had already been released on bail by this Court in Crl.O.P.Nos.8267 and 8255 of 2023 and Crl.O.P.No.8907 of 2023, wherein this Court has recorded the factual finding that the properties attached to the main accused is more than Rs.10 Crores which is sufficient to settle the other victims, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Judge for TNPID Act, Coimbatore on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the



learned Magistrate concerned and on further condition that:

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(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, report before the learned Special Court at 10.30 a.m., for a period of one week and thereafter on the dates fixed by the learned trial Court;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]***; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered
under Section 229-A IPC.

18.05.2023

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