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Crl.OP.No.11818 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 24.05.2023**

**CORAM**

**THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP**

**Crl.OP.No.11818 of 2023**

V.Goutham

... Petitioner

**Vs.**

State Represented by  
The Inspector of Police,  
District Crime Branch Police Station,  
Villupuram District.  
(Crime No.47 of 2022).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to grant bail to the petitioner in Crime No.47 of 2022 on the file of  
the respondent Police.

For petitioner : Mr.A.Tamilvanan

For Respondent : Mr.L.Baskaran  
Government Advocate(Crl.side)



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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 29.04.2023, for the offences punishable under Sections 406, 420, 109, 120-B of IPC, in Crime No.47 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused has had jointly promoted the Companies named Great India Trading Academy and Great India Marketing Company induced the gullible persons totally 7547 depositors, with fancy schemes with an assurance that they will get good returns and made them to invest in their company and cheated them to the tune of Rs.86 crores by not repaying the same. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is not the person who was in administration of the company and he has left the company as early in the year 2021 much prior to the present complaint. He also submit that the



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petitioner himself is a victim of circumstances, who has also deposited a sum of Rs.6 lakhs in the company, whereas, he was unnecessarily roped into this case by the main accused. He also submitted that the petitioner is not the main person in the company and he is in custody from 29.04.2023 and also submitted that major part of the investigation has been completed. He would further submit that the co-accused was enlarged on bail by this Court vide order dated 27.04.2023 in Crl.OP.No.8875 of 2023. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioner, who is an employee of the company named Great India Trading Academy and Great India Marketing Company, along with other accused induced many gullible persons with the fancy schemes and made them to deposit in their company and cheated them, thereby, nearly 7547 depositors have deposited a sum of Rs.86 crores in the accused company and they have got cheated by the accused. Further, the learned Government Advocate (Crl.Side) fairly conceded that the petitioner



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herein has deposited a sum of Rs.6 lakhs in the said company. However, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, in order to show his bonafide, without prejudice to his defense and contention, is ready and willing to deposit the original title deeds of an immovable property worth about Rs.10 lakhs, before the Court concerned. Therefore, he prayed to grant bail to the petitioner.

6. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side) and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the petitioner is volunteered to deposit original title deeds of an immovable property worth about Rs.10 lakhs to the credit of this crime number and the co-accused was enlarged on bail, this Court is



inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, **the petitioner is directed to deposit the original title deeds of an immovable property not less than the value of Rs.10 lakhs (standing in the name of the petitioner or his relatives or his friends) to the credit of Crime No.47 of 2022**, without prejudice to his rights and contentions before the trial Court and on such deposit, the petitioner is ordered to be released on bail on his executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, one surety shall be a blood surety, each for a like sum to the satisfaction of the learned ***Judicial Magistrate-I, Tindivanam***, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;



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(b) the petitioner shall report before the respondent Police Station, everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders.

(c) the petitioner shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

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

**24.05.2023**

Vv/ham



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To

1. The Judicial Magistrate-I,  
Tindivanam
2. The The Inspector of Police,  
District Crime Branch Police Station,  
Villupuram District.
3. The Sub Jail,  
Villupuram.
4. The Public Prosecutor,  
High Court of Madras.



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**SATHI KUMAR SUKUMARA KURUP,J.**

Vv/ham

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