



WEB COPY



Crl.M.P.Nos.9548, 9552 and 9554 of 2023

**Crl.M.P.Nos.9548, 9552 and 9554 of 2023**

**in**

**Crl.A.Nos.217, 574 and 576 of 2022**

**M. NIRMAL KUMAR, J.**

The petitioner/A2 in C.C.Nos.14, 15 and 16 of 2014 is convicted by the learned Special Judge, Special Court under TNPID Act, Coimbatore for offences under Sections 120B, 406, 420 of IPC and Section 5 of TNPID Act by judgment dated 22.06.2022, 23.09.2021 and 23.09.2021, respectively. In all the three cases, the trial court convicted the petitioner and sentenced to undergo seven years rigorous imprisonment for offence under Section 120B IPC, seven years rigorous imprisonment for offence under Section 420 IPC, three years rigorous imprisonment for offence under Section 406 IPC and ten years rigorous imprisonment for offence under Section 5 of TNPID Act. The total fine amount imposed in C.C.No.14 of 2014 is Rs.2,16,00,000/-, in which, A2 to A4 directed to pay each Rs.72,00,000/- as fine. The total fine amount imposed in C.C.No.15 of 2014 is Rs.55,00,000/-, in which, A2 and A3 directed to pay each Rs.27,50,000/- as fine. The total fine amount imposed in C.C.No.16 of 2014 is Rs.27,50,000/-, in which, A2 and A3 directed to pay each Rs.13,75,000/- as fine. Aggrieved against the same, the petitioner preferred an appeal in C.A.No.217 of 2023, C.A.No.574 of 2022 and C.A.No.576 of 2022, respectively. Thereafter the petitioner preferred suspension of sentence petitions



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in Crl.M.P.Nos.3110 of 2023, 7724 of 2022 and 7727 of 2022 before this

WEB COURT, wherein, this Court granted bail to the petitioner with a condition to deposit a sum of Rs.10,00,000/- in C.C.No.14 of 2014, Rs.10,00,000/- in C.C.No.15 of 2014 and Rs.5,00,000/- in C.C.No.16 of 2014. Thereafter, the petitioner filed a modification petitions in Crl.M.P.Nos.3537 and 3137 of 2023, citing the reason that he was unable to mobilise the amount. The said petitions were dismissed by this Court on 08.03.2023.

2.The petitioner so far paid Rs.5,00,000/- (Rs.2,00,000/- in C.C.No.14 of 2014, Rs.2,00,000/- in C.C.No.15 of 2014 and Rs.1,00,000/- in C.C.No.16 of 2014). Now, he has filed the present petitions to modify the conditions and seeks further time to make arrangements to pay the balance amount. He submits that the petitioner is in prison from 23.09.2021 and hence, unable to mobilise the balance amount of Rs.20,00,000/- and seeks for interim bail with condition that once the petitioner comes out on bail he will make arrangement for the balance amount of Rs.20,00,000/-.

3.Learned Additional Public Prosecutor stoutly oppose the same stating that the petitioner along with co-accused were granted bail with condition to pay 20% of the fine amount. The co-accused K.Karthikeyan and



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C.Manivannan in C.C.Nos.14, 15 and 16 of 2014 have not so far paid 20% of fine amount and also came out on bail. Since they violated the conditional order of this Court, the respondent police gave representation to the TNPID Court for cancelling the bond and securing the accused K.Karthikeyan and C.Manivannan and soon they will be secured. If the petitioner was shown indulgence and granted interim bail, the petitioner would abscond and not pay the balance amount. Hence, prays for dismissal of these petitions.

4.In this case, 156 depositors have been cheated to the tune of more than Rs.3 crores. In view of the above, this Court is not inclined to entertain these petitions. Accordingly, these Criminal Miscellaneous Petitions are dismissed.

30.10.2023

rsi



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