



Crl.O.P.No.15849 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 & 420 of IPC, in Crime No. 229 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.06.2023 at 11.00 a.m., the defacto complainant R.A.Akilan son of Ranjan lodged a complaint that one Balakrishnan, Managing Director, ASI Global Pvt. Ltd., was introduced by his friend one Lakshmanan that if the defacto complainant deposit Rs.1,00,000/- the Company will give Rs.1000/- per month towards interest and believing the words of Balakrishnan, the defacto complainant deposited Rs.9,00,000/- but the said Balakrishnan did not pay properly and paid few amount and thereby cheated the defacto complainant. Hence, the case.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has not made promise to the petitioner that he will give interest at Rs.1000/- per lakh for a month and the petitioner had also paid the entire amount of Rs.9,00,000/- to the defacto complainant by way of cash on different dates including Bank transfer. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police would submit that the petitioner has induced the defacto complainant to invest in the business of money lending on interest basis and received a sum of Rs.9,00,000/- from him and cheated him. He would further submit that the matter is under investigation. Hence, he opposed to grant anticipatory bail to the petitioner.

5. The defacto complainant by way of intervenor would contend that the petitioner, who is the Managing Director of ASI Global Pvt. Ltd., invited deposits from various persons including the defacto



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complainant assuring that if the defacto complainant deposit Rs.1,00,000/- the Company will give Rs.1000/- per month towards interest and believing the words of Balakrishnan, the defacto complainant deposited Rs.9,00,000/-. Thereafter, the petitioner issued two cheques and the same were returned for the reason “funds insufficient”. After several requests, out of Rs.9,00,000/-, the petitioner has deposited only Rs.1,40,000/- by two installments to the defacto complainant and the balance amount has not been paid.

5. Heard the learned counsel for the petitioner, the learned counsel for the intervenor and the learned Government Advocate and perused the materials available on record.

6. It is seen that the learned Government Advocate would submit that the matter is under investigation and it is a financial fraud in the name of financial Company. In reply, the learned counsel for the petitioner stated that it is a belated complaint and he has referred the date of alleged complaint as well as the date of allegation.



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7. Considering the nature of offence committed by the petitioner, I am not inclined to grant anticipatory bail to the petitioner. It is left open to the Investigating Officer to proceed in accordance with law. Accordingly, this criminal original petition is dismissed.

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