



Crl.O.P.No.23775 of 2023

and

Crl.M.P.No.19155 of 2023

WEB C **C.V.KARTHIKEYAN.,J.**

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of I.P.C., in Crime No.85 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The earlier application seeking anticipatory bail in Crl.O.P.No.20199 of 2023 had been dismissed by my learned Predecessor on 12.09.2023.

3. The case of the prosecution is that the de-facto complainant is running a boutique under the name and style of 'Vastra by Jessy'. During the course of business, she had acquaintance with Mercy Deepika and became friends. Mercy Deepika had introduced her friend Nithya Lakshmi as the Chairman of the Food Corporation of India and she became the customer of the de-facto complainant. Both Mercy Deepika and Nithya Lakshmi introduced the de-facto complainant to JSP Finance as Micro-Finance Company and as agents of said company, they told that they would arrange loans and introduced this petitioner/Sathya Priya, staff of JSP Finance. The de-facto complainant approached this petitioner for arranging a loan of Rs.24 lakhs to develop her business, for which, she had demanded Rs.4 lakhs towards initial deposit with M/s.JSP Finance. Accordingly, the de-facto



complainant had given Rs.4 lakhs to this petitioner. Subsequently, this petitioner induced the de-facto complainant and her friends to part with money and gave assurance that she will arrange loan for a sum of Rs.12 lakhs for their business development. Believing her words, the de-facto complainant and her friends have paid Rs.49,69,500/- to the petitioner, Mrs.Mercy Deepika and Mrs.Nithya Lakshmi for availing loans and its processing, account opening and demand draft charges. Neither, they have arranged loans nor repaid the money. On demand, the accused have threatened the de-facto complainant with dire consequences. Hence, based on the complaint, case has been registered.

4. The learned counsel for the petitioner stated that she is only an employee under the JSP Finance as Micro-Finance Company arranged for loan and she has nothing to do with the case.

5. Though, it is claimed that the petitioner is doing her first year LLB in Vels Institute of Science and Advance Technology, no documents has been produced for the said averment.

6. The sum and substance of the allegations is that, all the accused have received a sum of Rs.49,69,500/- from the de-facto complainant and others under the guise of arranging JSB loans and cheated them. On demand for return of money, the accused threatened them. Further, petitioner's earlier anticipatory bail petition before the learned Principal Sessions Judge, Chennai



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7. The submission of the learned Government Advocate (Crl.Side) is to the effect that there are 16 victims to an extent of Rs.49,69,500/-. The investigation in this matter is still pending and no amount has been recovered.

He further stated that subsequently A1 and A3 had been taken into custody for commission of offence of similar nature in yet another crime number. He also stated that A4 is absconding who is the husband of the petitioner herein. Hence, he opposed to grant anticipatory bail to the petitioner.

8.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

9.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, the subsequent quantity of the amount which had been received by the petitioner herein and also transferred to A4's account. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

10.Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Crl.M.P is closed.

06.12.2023

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C.V.KARTHIKEYAN,J.,



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