



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09.03.2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.9694 of 2022

S.Manikandan

... Petitioner /
Accused Rank not known

Vs

State represented by
The Inspector of Police,
Economic Offences Wing-II,
Madurai.
(Crime No.01 of 2022)

... Respondent / Complainant

For Petitioner : Mr.S.Ramasamy, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.01 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406,420, 120(B) IPC and Section 5 of TNPID Act in Crime No.01 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Dharmaraj, is running a finance company along with others in the name and style of KM Samy group of PRI and they represented to the customers that if the public deposit the amount to the above said company, they will give double the amount within six months. Believing the same, the public deposited the huge amount. Thereafter, they failed to do so. Hence, the case.

<https://www.mhc.tn.gov.in/> and the learned counsel appearing for the petitioner and



the learned Additional Public Prosecutor appearing respondent police.

4. It is seen that there are totally 27 accused and the petitioner is arrayed as A7. A2 is the main accused, who was running the above said company and collected huge amount from 246 victims. Insofar as the petitioner is concerned, he was collected Rs.5,00,000/- and he is a document writer. The learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to deposit Rs.3,00,000/-.

5. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Cr.No.01 of 2022 before the learned Special Judge for TNPID Act cases, Madurai, within a period of two weeks from the date of receipt of a copy of this order, failing which the petition for anticipatory bail stand dismissed automatically.

6. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Special Judge for TNPID Act cases, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate 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, daily at 10.30 A.M., for a period of four weeks and thereafter, as and when required for interrogation;

[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].



CRL OP(MD)



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[f] If the accused thereafter absconds, a fresh FII registered under Section 229A IPC.

sd/-
09/03/2023

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Special Judge,
Court for TNPID Act Cases, Madurai.

2.The Inspector of Police,
Economic Offences Wing-II,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.RAMASAMY S, Advocate (SR-3945[I] dated 10/03/2023)

ORDER

IN

CRL OP(MD) No.9694 of 2022

Date :09/03/2023

ED/CG/SAR-1 (20/03/2023) 3P 5C