



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

Date : 05/06/2023

PRESENT

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

CRL OP(MD) . No.9650 of 2023

1. Raju Raikkar

2. Rani ... Petitioners / Accused No.1&2

Vs

The State rep by
The Inspector of Police,
District Crime Branch,
Dindigul,
Dindigul District.
(In Crime No.11 of 2023). ... Respondent / Complainant

For Petitioner : M/s.Velmurugan P, Advocate.

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

For Intevenor : Mr.M.Maran, Advocate

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.11 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A1 & A2 who were arrested and remanded to judicial custody on 10.05.2023 for the offences under sections 406 & 420 of IPC in Crime No.11 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners have instructed the defacto complainant to invest money in their business. Believing their words, the defacto complainant invest a sum of Rs.9 lakhs. Thereafter, the petitioners did not return the said amount. Hence the case.



3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that there are totally three accused. In which, the petitioners are arrayed as A1 & A2. The case of the petitioners is that the alleged GLITRAPID is owned by one Arun Arumugam. In which, the petitioners are the investors in the said Company. It is working with Crypto Currency and related speculative business. The Company cheated the all person, who are invested their money in the said Company. Therefore, the petitioners lodged a complaint before the District Crime Branch, Coimbatore against the said Arun Arumugam. In fact, the said Company created a separate ID for the defacto complainant and other investors. The total amount invested in the said Company is Rs.45 lakhs. Already, another complaint has been registered against the said Arun Arumugam and one Richard in Crime No.175 of 2023 before the Kumaran Nagar Police Station, Chennai. According to the petitioners, they are also the victim and now they are in custody from 10.05.2023 onwards.

5. The learned counsel for the Intervenor submitted that the petitioners only approached the victim and instructed the defacto complainant to invest the money in the said Company. Now, the petitioners along with other two accused, cheated the public money.

6. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood related sureties each for a like sum to the satisfaction of the Judicial Magistrate Court No.II, Dindigul, and on further conditions that:

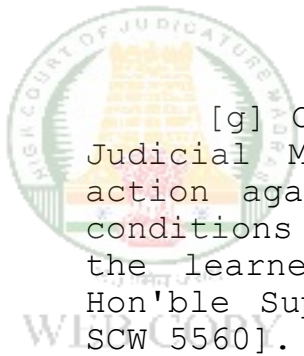
[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioners shall report before the respondent police daily at 10.30 A.M. and 5.30 P.M., until further orders.

[d] the petitioners shall not commit any offences of similar nature.

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial.



[g] On breach of any of the aforesaid conditions, the Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
05/06/2023

/ TRUE COPY /

05/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.II,
Dindigul.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District.

4.The Superintendent,
Central Prison, Madurai.

5.The Officer Incharge,
Women Prison, Nilakottai,
Dindigul District.

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

+1 CC to M/s.P.VELMURUGAN, Advocate (SR-8008[I] dated 05/06/2023)

ORDER
IN
CRL OP(MD) No.9650 of 2023
Date :05/06/2023

ED/SSS/SAR- (05/06/2023) 3P 8C