



(1)CrI.OP(MD)No.12252 of 2023:-

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 02/08/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.OP(MD)Nos.12252, 12939 and 13509 of 2023

(1)CrI.OP(MD)No.12252 of 2023:-

Saratha

: Petitioner/ Accused
(Rank not known)

Vs.

1.State:Represented by its
Inspector of Police,
EOW-II,
Thanjavur District.

2.The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(Crime No.211 of 2019)

: Respondents/ Complainants

For Petitioner : Mr.T.A.Ebenezer, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

<https://www.mhc.tn.gov.in/judis>



(1)Crl.OP(MD)No.12252 of 2023:-

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PRAYER:-For Anticipatory Bail in Crime No.211 of 2019 on the file of the Respondent Police.

(2)Crl.OP(MD)No.12939 of 2023:-

Rajeshwari @ Raja Rajeshwari

: Petitioner/ Accused
Rank not known

Vs.

1.State through
The Deputy Superintendent of Police,
Economic Offence Wing (EOW),
Thanjavur District.

2.The Inspector of Police,
Economic Offence Wing (EOW),
Thanjavur District.
(on the file of the Kumbakonam
West Police Station,
Thanjavur District.
(Crime No.211 of 2019)

: Respondent/Complainant

For Petitioner : Mr.P.M.Vishnu Varthanan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:-For Anticipatory Bail in Crime No.211 of 2019 on the file of the Respondent Police.

<https://www.mhc.tn.gov.in/judis>



(1)CrI.OP(MD)No.12252 of 2023:-

(3)CrI.OP(MD)No.13509 of 2023:-

Meenal @ Meena

: Petitioner/ A4

Vs.

1.State through
The Deputy Superintendent of Police,
Economic Offence Wing (EOW),
Thanjavur District.

2.The Inspector of Police,
Economic Offence Wing (EOW),
Thanjavur District.

on the file of the Kumbakonam
West Police Station,
Thanjavur District.
(Crime No.211 of 2019)

: Respondent/Complainant

For Petitioner : Mr.P.M.Vishnu Varthanan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:-For Anticipatory Bail in Crime No.211 of 2019 on the file of the Respondent Police.



(1)CrI.OP(MD)No.12252 of 2023:-

COMMON ORDER: The Court made the following order:-

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The petitioners, who are arrayed as accused persons apprehend arrest at the hands of the respondent police for the offence punishable under sections 406, 420 and 120(b) IPC and section 5 of TNPID Act, in Crime No.211 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that the Company called 'Sangamam Benefit Fund Limited' was functioning in Nageeswaran North Street, Kumbakonam. In that Chit Fund Company, the de-facto complainant deposited Rs.55,000/-. But later the above said company was closed. On the basis of the complaint given by the de-facto complainant, a case in Crime No.211 of 2019 was registered for the offences stated above. Investigation was undertaken and during the course of investigation, the involvement of these petitioners came to light.

3.Seeking anticipatory bail, repeated applications came to be filed by the petitioners during Vacation Court and they were dismissed stating that no change of circumstance was available.



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4.Now these petitions have been filed for the second time on the ground that in respect of Chit Funds transaction, entire amount has been settled; So far as the mutual fund is concerned, they are not involved in the above said business; Apart from that, it is also submitted that the Company also filed Insolvency Petition.

5.A detailed counter has been filed by the 1st respondent police. In the counter, it has been stated that the branches of Sangamam Benefit Fund Limited were opened by the petitioners in several places. But actually, it was registered in Trichy. As per the guidelines, for each and every branch, separate registration must be obtained. But without proper registration, they were running the above said business, inviting several Crores of rupees from the public and so far, the amount involved is Rs.46,91,486/- and the 4th accused namely Meenal @ Meena was one the Directors and A2, A3, A6 and A7 were arrested and released on bail. A11 and A12 were granted anticipatory bail. A4, A5 and A8 were released on bail. But the money that was involved not recovered. In the earlier petition filed in Crl.OP(MD)No.8834 of 2023 by Meenal @ Meena, she was directed to deposit Rs.25,00,000/-, but she did not comply the same. So it was dismissed. Similarly in respect of Rajeshwari @ Raja Rajeswari, objection has been filed to the effect that a similar application was moved



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by the petitioner also. On that occasion, she was directed to deposit Rs.25,00,000/-.

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But that was not complied, Similarly, in respect of Saratha also. It has been stated that since money is not recovered so far and the amount cheated also run to several Crores of rupees, they are making objection.

6. So far as Meenal @ Meena is concerned, it has been stated by her that she is not a Director of the Company, but working as Chief Manager. But however, considering the money involved, she is not entitled for anticipatory bail.

7. Similarly in respect of Saratha, it has been stated in the petition that she is the mother-in-law of the Founder of Sangamam Benefit Fund Limited. She was one of the Co-Directors at that time. Since her husband and other were granted anticipatory bail, she may also be considered. But however, since she was one of the Directors of the Company, she cannot disown her liability. So far as Vedachalam and S.Sasikala, who are the petitioners in Crl.OP(MD)Nos.11315 and 11317 of 2023 are concerned, they were granted anticipatory bail on the ground that they resigned from their respective posts and after that only, they were added as accused.



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8.In view of the above said facts, I find no reason to grant anticipatory bail to the petitioners. Accordingly, all the criminal original petitions are dismissed.

sd/-
02/08/2023

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/09/2023

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

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To,

1.The Deputy Superintendent of Police,
Economic Offences Wing (EOW), Thanjavur District.

2.The Inspector of Police,
Economic Offence Wing (EOW), Thanjavur District.

3.The Inspector of Police,
Kumbakonam West Police Station, Thanjavur District.

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

+2 CC to M/S.P.M.VISHNU VARTHANAN, Advocate SR.No.11728, 11729

ORDER
IN

Crl.OP(MD)Nos.12252, 12939 and 13509 of 2023
Date :02/08/2023

RK (07/09/2023) 7P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023