



Crl.OP(MD)No.13890 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 16/08/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.13890 of 2023

Ananthi

: Petitioner/ A3

Vs.

1.State through
The Inspector of Police,
EOW Police Station,
Madurai District.
(Crime No.4 of 2021)

2.State through
The Inspector of Police,
EOW Police Station,
Dindigul District.
Crime No.Not known

: Respondents/ Complainants

For Petitioner : Mr.V.Kathirvelu
Senior counsel
for Mr.K.Prabhu, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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



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PRAYER:-For Anticipatory Bail in Crime No.4 of 2021 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner, who is arrayed as A3 apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 120B IPC and section 5 of the Tamil Nadu Protection of Interest of Depositors (In Finance Establishment) Act, 1997, in Crime No.4 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution in brief:-

The de-facto complainant came to know that one Fly World Shares Private Limited through his friends namely Pushpalatha. Abdul and Edwin were working as Agents for the above said company. One Rajkumar was also working as an Agent. They informed that the above said Company is having branches all over India. One Syed Farook was the Director. The partners were Ananthi Manikandan and Manoj Kumar. It was a partnership enterprise. When he approached the above said company, they were told by a person in the office that they are dealing with several



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schemes. They have also stated that within 120 days, the amount will be returned in double. So, on various dates and various schemes, he deposited Rs.5,00,000/-. He received only Rs.8,000/-. Balance amount is Rs.5,52,000/-. When he approached the above said company, he was told that they will pay the maturity amount in a short time. But in-spite of the above said assurance, they were delaying the payment. Based upon which, he lodged a complaint stating that he has been cheated by the accused persons.

3. Seeking anticipatory bail, Ananthi namely the wife of Manikandan has filed this petition stating that she was not involved in the above said Company affairs; She moved separate and different applications before this court, whenever new complaints have been registered. Finally, he moved Crl.OP(MD)No.7614 of 2023, which came to be dismissed, on 24/06/2023.

4. The learned Senior counsel appearing for the petitioner would submit that absolutely, this petitioner is not involved in the above said transactions and she appeared before the respondent several times, but the investigation is not concluded. He would further submit that she is ready to appear before the respondent and cooperate with him to complete the process of investigation.



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5.The involvement of this petitioner is directly mentioned in the FIR. Wherein, it has been stated that this petitioner was also a partner of the above said enterprise. When she moved Crl.OP(MD)No.7614 of 2023, Manoj Kumar, who is the co-accused is also filed petition in Crl.OP(MD)No.7613 of 2023. Both were heard together and in the course of the above said discussion and hearing, it was informed to the court that totally 10 crore is involved in this issue and several victims have been cheated. So far 220 complains have been received from various persons. Rs.4,83,12,500/- was received by the accused. Apart from that, it is also submitted that the co-accused namely Manoj Kumar is involved in four previous cases of similar in nature. So far this petitioner is concerned, she was working as a Manager and also involved in four previous cases of similar in nature. Finding that the custodial interrogation of the petitioner is required, so also the co-accused, that petition came to be dismissed.

6.By pointing out this observation, the learned Senior counsel appearing for the petitioner would submit that all the previous cases have been registered in various districts on the similar subject issue. So, according to him, whenever, new complaints are filed, she used to filed anticipatory bail petitions.



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7.As stated above, even though, it has been stated by the learned Senior counsel appearing for the petitioner that she is working as a Manager, but reading of the FIR shows that she was also one of the partners. Cases have been registered against this petitioner in various districts. She has also been produced in the form of typed set of papers, wherein, we see that so far, four complaints have been registered in various districts.

8.So, considering the magnitude, the amount involved and also several branches have been opened in various districts that too through out India and the involved in large scale cheating, even though, FIR has been registered in 2021, and the investigation is still not completed, this is not a fittest case to exercise the discretionary power.

9.It is also submitted that this petitioner's property was also attached by the respondent. In spite of repeated dismissal of the applications, I find no reason to take a different view. Entertaining repeated anticipatory bail petitions mentioning the very same reasons, cannot be encouraged.



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10.In the result, this criminal original petition is dismissed.

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

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TO

1.The Inspector of Police,
EOW Police Station, Madurai District.

2The Inspector of Police,
EOW Police Station, Dindigul District.

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

ORDER

IN

CRL OP(MD) No.13890 of 2023

Date :16/08/2023

RK /VRS(23/08/2023) 6P / 4C

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