



CRL OP(MD). No.17856 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.17856 of 2023

Senthilkumar @ Noval Senthil

... Petitioner/ Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Economic Offence Wing,
Madurai
Crime No.05 of 2023.

... Respondent/Complainant

B.R.Kannan

... Intervener Petitioner/Defacto Complainant
In CRL MP(MD).14475/2023 in CRL OP(MD).17856/2023

For Petitioner : M/s.S.Pandiyaraj, Advocate.

For Respondent : Mr.R.Suresh Kumar, Government Advocate (Crl.Side)

For Intervenor : Mr.R.Senthil Kumar, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 05 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 34 of IPC r/w. Section 5 of



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Tamil Nadu Protection of Interest of Depositors (In financial Establishment) Act in

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Crime No.05 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the friend of the defacto complainant took him to the office of M.M.S. Health Care Technology Pvt Ltd, Madurai, wherein the petitioner herein who is the Branch Manager and Regional Head stated about the company and told that they would collect money from the investors and return with huge profits. Believing the words the defacto complainant deposited Rs.45,90,000/- in his name and his wife name and others name. After few days the accused persons closed the company and when the defacto complainant went to head office and asked the money there is no response from the company , hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. Hence he seeks anticipatory to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the defacto complainant deposited Rs.45,90,000/- in his name and his wife name and others name in the M.M.S. Health Care Technology Pvt Ltd, Madurai. After few days the accused persons closed and never returned the money to the defacto complainant, hence he objected to grant anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and also



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considering the gravity of offence and also the fact that the petitioner herein has also received the amount, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence the petition stands dismissed.

sd/-
22/11/2023

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/12/2023

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

AAV
TO

1 THE INSPECTOR OF POLICE, ECONOMIC OFFENCE WING, MADURAI.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-16707[I] dated 22/11/2023)

ORDER
IN

CRL OP(MD) No.17856 of 2023

Date :22/11/2023

RS/SKN/SAR-(01.12.2023) 3P 4C

Madurai Bench of Madras High Court is issuing
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