



CRL OP(MD). No.20229 of 2023

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

Date : 16/11/2023

PRESENT

The Honourable Mr.Justice V.SIVAGNANAM

CRL OP(MD). No.20229 of 2023

R.Jayakumari

... Petitioner / Accused No.3

Vs

State rep by
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur,
(Crime No.328 of 2023).

... Respondent / Complainant

For Petitioner : M/s.J.Alaguram Jothi, Advocate.
For Respondent : Mr.R.Sureshkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 328 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC r/w Section 3, 5, 21(1),



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21(2), 21(3), 23, 25 of Banning of Unregulated Deposit Schemes Act, 2019 and 5 of TN Protection of Interest of Depositors Act, 1997 in Crime No.328 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner's husband is the Managing Director of Aishwaryam Chit Fund Private Limited, Trichy. The petitioner is the one of the Directors of the said Company. They canvassed the public for investment in their chit fund and accordingly, the public have deposited their money. Now, the chit fund is closed. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the Manager of the Company/A2 misused the funds of the concern without the knowledge of the petitioner's husband and misappropriated more than Rs.80,00,000/- from the customers. He would further submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (criminal side) appearing for the respondent police would submit that in the case, totally 100 public including the defacto complainant have deposited in the petitioner's company and total misappropriation amount comes to Rs.1,76,19,750/-, however, the entire cheated amount is not yet recovered. Hence, the learned Government Advocate (criminal



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side) has strongly opposed to grant anticipatory bail.

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5. Heard both sides and perused the materials available on the record.

6. As per the investigation, the total amount of cheating comes to Rs.1,76,19,750/-, however, no amount has been recovered. Therefore, considering the nature of the offence, this Court is the view that the petitioner is not entitled to grant anticipatory bail. Hence, this Criminal Original Petition is dismissed.

sd/-
16/11/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur.

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

+1 CC to M/s.J.ALAGURAAM JOTHI, Advocate (SR-16410[I] dated 17/11/2023)

ORDER
IN
CRL OP(MD) No.20229 of 2023
Date :16/11/2023



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ED/SKN/SAR- (27/11/2023) 4P / 4C

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