



Crl.O.P.No. 5023 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest in the hands of respondent police for the alleged offence under Section 406, 420 r/w 34 of I.P.C. in Crime No.246 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the 1st petitioner insisted the defacto complainant to join an online business through the credit card, through which, he will give profit for quantum of amount. Believing his words, initially the defacto complainant invested a sum of Rs.1 lakh, for which he gave profit daily. Thereafter, the defacto complainant insisted him to join his family members, relatives and friends in the said business, thereby he had invested nearly a sum of Rs.4 crores. On receipt of the said amount, he neither deposited the profit to his account nor repaid the amount. Hence, the complaint was registered against the petitioner.



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3. The learned counsel for the petitioners would submit that they are innocent persons and they have not committed any offence as alleged by the prosecution and they are no way connected with the said offence. He would also submit that they are ready to comply with any condition imposed by this court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioners are arrayed as A1 to A3. He would submit that based on the direction of Metropolitan Magistrate for CCB and CBCID cases, Egmore, Chennai, the Inspector of Police registered a case in Crime No.246 of 2023 and sent letters to concerned banks to freeze the account of A1 and A2 under due intimation and also requested to furnish bank transactions for investigation. He would also submit that during the course of investigation, notices under Sec.41(A) Cr.P.C. were sent to A1 to A3 for enquiry and they have appeared and given their statements. In the statement of A1, he submitted that he received



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a sum of Rs.5,59,66,000/- through one Karthik from 28 investors and repaid a sum of Rs.8,39,96,2777/- being principal as well as interest during the period from 01.01.2020 to 30.12.2020 to him, thereby he settled entire amount. A1 has further stated that he had also entered into an agreement to settle the investor amount of Rs.2,89,48,127/- and the old investment of Rs.86,00,000/- and the amount of Rs.40,00,000/- received on 24.01.2021 within two years and that since he has not returned the money as per the agreement, the defacto complainant and others scolded him, for which, he has given a complaint, for which C.S.R.No.390 of 2021 was registered. Subsequently, as per the court direction, a criminal case was registered against A1 and as per 41(A) Cr.P.C. notice, he had appeared before I.O. and given the above statement. Now, anticipating arrest by the respondent police in the above criminal case, A1 to A3 were absconded and they have moved this petition seeking for anticipatory bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. On considering the facts and circumstances of the case and the submissions made by both counsel and also on considering the gravity of



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offence committed by the petitioners, when notice as per 41(A) of Cr.P.C. was issued, he assured to settle the issue, but so far not complied and now A1 to A3 are absconding, and investigation is at the initial stage, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

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