



Crl. O.P. No.18523 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offence punishable under Sections 406, 409, 420, 120-B of IPC and Section 5 of TNPID Act in connection with the Cr. No.4 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant were known to each other through one Nagu @ Rajeswari, that the petitioner induced the defacto complainant to invest money in her GDR Enterprises and believing the same, the defacto complainant invested money to the tune of Rs.2,39,000/- for getting more profits, but the defacto complainant has not got more profits as promised by the accused and also did not get back her amount invested with the accused company, thereby, the petitioner cheated the defacto complainant. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioners under Sections 406, 409, 420, 120-B of IPC and Section 5 of TNPID Act, that A1 alone had started the said GDR Enterprises and he is the proprietor of



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the said company, that due to COVID-19, the said company sustained huge loss, thereby, they were not able to repay the investors and hence the investors gave complaint, that A1 was arrested and released on statutory bail, that the petitioner is no way connected with the above said GDR Enterprises, that she is the wife of A1's brother, that she was only an employee in the said company, that she is an innocent, that the earlier applications for anticipatory bail were dismissed and hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner is A3 and wife of A2, who was working as Cashier in a company M/s. GDR Sun Enterprises, in which A1 and A2 are the Managing Director and the Director respectively and A4 Nagu @ Nageswari, is the agent of the said company, that A4 introduced this petitioner/A3 to the defacto complainant and as per the inducement of A3, the defacto complainant invested Rs.2,39,000/- with the above said company, but no repayment was given by the accused and when the same was questioned, all the accused have attacked the defacto complainant and cheated the defacto complainant and therefore, the defacto complainant lodged a complaint and based on the said complaint, FIR was registered in



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Tiruvotriyur Police Station in Cr. No.5439 of 2020 under Sections 406 and

420 of IPC against the petitioner and other accused, that thereafter several

complaints were received and hence the case was transferred to the

Economic Offence Wing and the FIR was registered on the file of

Economic Offence Wing in Cr. No.4 of 2022 under Sections 406, 409, 420,

120-B and Section 5 of TNPID Act and statements of witnesses have also

been recorded and documents have been collected, which reveal that all the

accused have conspired together and cheated the investors, that

investigation is not yet completed and custodial interrogation is required

and hence strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the gravity of offences and considering the fact that huge money is involved in this case .and investigation is not yet completed, I am declined to grant anticipatory bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.



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27.09.2024

To

- 1.The Special Judge, Special Court for the cases under Tamil Nadu Protection of Interest of Depositors in Financial Establishment Act, 1997.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Economic Offence Wing, Chennai.

P.DHANABAL,J

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